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A

HISTORY OF ENGLAND,

FROM THE FIRST

INVASION BY THE ROMANS

TO THE

ACCESSION OF WILLIAM AND MARY,

IN 1688.

BY JOHN LINGARD, D. D.

A NEW EDITION,

AS ENLARGED BY DR. LINGARD SHORTLY BEFORE HIS DEATH.

IN THIRTEEN VOLUMES.

VOL. IV.

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OF

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LINGARD'S
HISTORY OF ENGLAND.

CHAPTER I.

EDWARD III.

CONTEMPORARY PRINCES.

Emp. of Ger.	*K. of Scotland.*	*K. of France.*	*K. of Spain.*
Louis IV. ...1347	Robert I. 1329	Charles IV. ..1328	Alphonso XI.
Charles IV.	David II. ...1370	Philip VI. ...1350	1350
	Robert II.	John 1364	Pedro 1368
		Charles V.	Henry II.

Popes:

John XXII. 1334. Benedict XII. 1342. Clement VI. 1352.
Innocent VI. 1362. Urban V. 1370. Gregory XI.

Campaign against the Scots—Execution of the Earl of Kent—Fall and Execution of Mortimer—Baliol recovers and loses Scotland—Edward claims the Crown of France—His useless Expeditions to Flanders—Victory at Sea—Truce—Renewal of the War—Victory at Creci—Victory at Nevil's Cross—Surrender of Calais—Another Truce—Pestilence—The Flagellants.

For some years Isabella and Mortimer enjoyed the reward of their guilt. The youth of the king allowed them to retain that ascendancy over his mind, which they had hitherto exercised; and the murder of his father secured them from the resentment of an injured husband. Of the forfeited estates of the Spensers and their partisans the larger portion, with the title of earl

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of March, fell to the lot of Mortimer; whilst the queen obtained the sum of twenty thousand pounds for the present payment of her debts, and a yearly income to the same amount for her future expenses. In the parliament an act of indemnity was passed for all violences committed during the revolution: the award against the Spensers was re-enacted; the judgments given against the late earl of Lancaster and his adherents were reversed*; the survivors, or the heirs of the deceased, were restored to the possession of their hereditary estates; both the great charter and charter of forests were confirmed, and certain grievances abolished; and a council of regency was appointed, to consist of four bishops, four earls, and six barons. Most, however, of its members belonged to the queen's party, and those who were not under her control were gradually dismissed by the contrivance of that unprincipled woman and her paramour.

A. D. 1327. Feb. 3.

The first measures of the new government were disconcerted by an unexpected occurrence. Of the truce with Scotland only a few years had expired: but the state of affairs in England offered to the Scottish king a temptation which he had not the virtue to resist. He determined, in violation of his engagements, to wrest, if possible, from the young king a solemn renunciation of that superiority which had been claimed by his father and grandfather. Aware of the intentions of Bruce, the English government had recourse to every expedient to avert hostilities. The lords of the marches were ordered to observe the articles of the late treaty; it was solemnly confirmed by the new king; envoys were sent to negotiate with the Scottish monarch; and it was at last agreed that ambassadors should meet in the marches,

Feb. 15.

* Rym. iv. 245—264. Rot. Parl. ii. 3—6. 52. Knyght. 2556. The attainder against the earl of Lancaster was annulled, because he had not been arraigned in the king's court, nor tried by his peers, "though it was "in time of peace." How could that be, when with a large force he had besieged the castle of Tickill, and taken the town of Burton? The answer was, that "the chancery and courts of justice were still open, and "the king had not displayed his banner." Rot. Parl. ii. 4, 5. New Rym. ii. p. 731.

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and treat of a final peace. But Bruce summoned his military retainers to join him at the same place and on the same day; and Edward, to be prepared for the event, was compelled to issue similar orders to the tenants of the crown, and the men of the northern counties. The negotiators met: the Scots insisted on their own terms; and when the English demurred, an army of twenty-four thousand men under Randolf and Douglas crossed the borders, and ravaged the county of Cumberland *.

April 23.

June 1.

Edward consumed six weeks at York, waiting for the arrival of his forces. At the suggestion of Mortimer, he had purchased for the sum of fourteen thousand pounds the services of John of Hainault, and a body of foreigners, who were lodged in the best quarters, and treated with the best cheer. On Trinity Sunday the king entertained five hundred knights, the queen sixty ladies, at their respective tables: but the festivity was interrupted by the alarm of a tumult in the city. The insolence of the foreigners had irritated the Lincolnshire archers; and in a battle, which lasted till night, some hundreds were slain on each side. The men of Hainault claimed the victory: but they were compelled from that moment to use the same precautions as in a hostile country, and never considered themselves safe till they had left the island. Commissioners were appointed to inquire into the origin of the quarrel: whatever may have been the result, it was deemed prudent to suppress it †.

June 7.

At length the English, amounting to more than forty thousand men, marched to Durham, but were unable to obtain any certain intelligence of the enemy. An

* See Rymer, iv. 256. 270, 271. 280. 287. 293. Lord Hailes (Annals, 116—118) seems to have misunderstood these documents, from which it was evident that the infraction of the truce must be charged to the Scots. At the same time the Irish septs burst into the English pale in Ireland (Rym. iv. 295); but whether there was any connexion between the two invasions is unknown.

† Rym. iv. 292. Froiss. c. i. 16. Wals. 127. Lel. Coll. i. 307.

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July 13. army of Scots was peculiarly adapted for predatory incursions. It consisted entirely of cavalry, and was unincumbered with luggage. For provisions they depended on the cattle to be captured from the enemy, and on the scanty supply of oatmeal which every horseman carried in a pouch at the end of his saddle. The flesh of the cattle was eaten almost raw, having been previously scorched, rather than roasted, or else seethed in boilers made at the moment of their hides, which were slackly stretched upon stakes over the fire. The oatmeal was mixed with water from the nearest brook, kneaded into cakes, and baked on thin heated plates of metal, which plates they carried with them in their saddles. Hence the rapidity of their movements was so great that whether they advanced or retreated it was difficult either to discover or pursue them. On the fifth day in-

July 18. telligence reached the king that the enemy were burning the villages at a distance of ten miles from the city. The army was immediately in motion, and marched in three divisions, in each of which the infantry occupied the centre, with the cavalry on its flanks. Orders had been issued that no man should quit his banner under the penalty of death.

In this manner they advanced for two days without overtaking the Scots: on the second evening it was resolved to gain by a rapid march the left bank of the Tyne, and to intercept the return of the enemy. With this view the baggage and provisions were conveyed back to Durham, and no man was permitted to carry with him more than a single loaf, tied to his saddle They set out at midnight, rode all day in a straight line over mountains and valleys, heaths and morasses, and a little before sunset crossed the river at the town of

July 20. Haydon. Here they remained seven days, still ignorant of the motions of the enemy, and suffering from the con-

July 27. tinual rains, and the want of provisions. The soldiers murmured: suspicions of treason were circulated in the camp; and Edward by proclamation promised the honour of knighthood and an annuity of one hundred pounds for life to the first man who should bring him

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intelligence of the Scots. The army now recrossed the river, and on the fourth day, about three in the afternoon, Thomas de Rokesby, galloping up to the king, said: "Sire, the Scots "are at a distance of three leagues posted on a mountain, "where for the last week they have expected you. I have "seen them myself, having been made prisoner, and released "that I might claim the reward which you promised." Edward immediately turned to the neighbouring abbey of Blanchland, where he spent the night, and with many of his friends prepared himself by devotional exercises for the expected battle of the next day. July 31.

In the morning Rokesby led the army towards the Scots. They were encamped in huts on the summit of a mountain on the right bank of the Wear, at a small distance from Stanhope. At the sight of the English they formed themselves on foot in three divisions on the declivity, with the river between them and the enemy. Edward ordered his men to dismount, made several knights, and rode through the ranks attended by his principal lords. After a short pause the army marched slowly to the bank of the river: but the Scots remained immoveable in their position; and an English herald was sent to propose, that one of the two nations should retire to a certain distance, and allow its adversary to cross the water, and form on the opposite bank. Douglas replied that he had come there against the will of the king, and should not leave the mountain to please him. If Edward were not content, he might cross over, and drive him away if he could. On the receipt of this uncourteous answer, the English were ordered to lie all night on their arms. The Scots, leaving a division to watch the river, retired to their huts, "where," says Froissart, in his quaint style, "they made marvellously "great fires, and, about midnight, set up such a blasting "and noise with their horns, that it seemed as if all the "great devils from hell were assembled together." Aug. 1.

The two following days were spent in the same manner; but on the third at dawn the Scots had disappeared. They were discovered in the afternoon, posted on Aug. 4.

another mountain of still more difficult access, and on the same side of the river; and the king following, pitched his camp in Stanhope park, opposite to the enemy. In the midst of the night an alarm was created by shouts of "A Douglas, a Douglas! die ye English "thieves!" That gallant chieftain had passed the river at a distance with two hundred followers, and entering the rear of the camp, galloped towards the king's tent, the cords of which he cut with his own sword. He killed about three hundred men, and retired with some loss.

Aug. 5. The object of this nocturnal visit was soon explained. The next day Edward learned from a prisoner that the whole Scottish army had received orders to assemble in the evening, and follow the banner of the lord Douglas. Apprehensive of a nocturnal attack, he called his troops under arms, and appointed them their stations during the night. All was tranquil and silent: in the Aug. 6. morning two trumpeters were brought in, who declared that the Scots had left their camp at midnight, had crossed the river, and were on their march towards Scotland. But the English disbelieved the account, and remained the greater part of the day in the same position. At length the fact was ascertained: to pursue a more active enemy, who was already at the distance of thirty miles, would have been a fruitless task; and Aug. 10. the army marched back to Durham, and thence to Aug. 15. York, where it was disbanded. Such proved the ludicrous result of this mighty expedition, in which the English commanders were foiled by the superior skill and activity of their foes *.

This inglorious campaign was followed by a peace, equally inglorious in the estimation of the people. But the queen and Mortimer had no inclination to continue the war: the proposal from them of a marriage between David, the only son of Robert, and Jane, the sister of Dec. Edward, was gladly accepted; and the terms of a future treaty were discussed and arranged by commissioners

* Froissart, i. c. 17, 18. Rym. iv. 301. 312. Lel. Coll. i. 551. Murim. 77. Heming. 268. Scalachronica, 153—5.

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from the two princes at Newcastle. These were, that there should be final and perpetual peace between the kingdoms of England and Scotland; that David the Scottish prince should be married to the sister of Edward, as soon as the parties reached the age of puberty; that the English king should interpose his good offices with the Pope for the extinction of such processes against him as were pending in the papal court; and that Bruce should pay to Edward the sum of twenty thousand pounds, by three instalments, within three years. A parliament was immediately summoned to meet at York; and in it Edward was persuaded to execute a deed of renunciation for himself and his successors of all claims of superiority over the crown of Scotland; by which act both princes were placed on the same footing of independent sovereigns. When this was ascertained, Bruce, in a Scottish parliament at Edinburgh, solemnly ratified the treaty; and subsequently Edward did the same in an English parliament at Northampton*. Yet no part of this transaction could be said to have had the sanction of the English nation. The summons to the parliament at York, as well as to that at Northampton had been disobeyed by the principal barons, whose absence testified their disapprobation of the intended measure †; and the people loudly execrated the inconsistent conduct of those who advised the young king to renounce his claim to the Scottish crown, though they had made it a capital charge against the younger Spenser that he had not won the same crown for his master. It is probable that Isabella and Mortimer had their own interest in view. The queen conducted her daughter

Dec. 10.

A.D. 1328. Mar. 1. Mar. 17. May 4.

July 1.

* Ford. xiii. 12. Rym. iv. 337. New Rym. ii. 730. Additional articles were signed by both princes, as a security for the future marriage. Robert gave to Edward a bond for 100,000*l.* to be paid at Michaelmas, 1338, New Rym. ii. 741; and Edward at Northampton engaged to send back to Scotland the stone on which the Scottish kings used to be crowned. It was to be taken to Berwick by the Queen Mother. Cat. of Anc. Charters, Introd. 58. The treaty and its ratifications were supposed to be lost, but have been published from the General Register Office, in New Rym. ii. 734. 740.

† "Therefore no business was done." Claus. 2 Edw. III. m. 15. d.

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July 18. to Berwick, where the princess was affianced to David, a boy in his fifth year; and Bruce faithfully paid the twenty thousand pounds, which the queen—so we are told—divided between herself and her paramour *.

To a man of ordinary ambition the fate of Gaveston and Spenser in the last reign might have proved a useful lesson: Mortimer not only walked in their footsteps, he assumed an authority to which they had not aspired. When the council of regency was appointed, it had been directed that out of the number one bishop, one earl, and two barons, should daily attend the king, and give him their advice on all matters of importance. But Mortimer superseded them all, took their authority on himself, filled the court with his dependents, placed his creatures as spies round the young monarch, and maintained a guard of one hundred and eighty knights for his own security †. Such conduct naturally excited the jealousy of the great barons: his scandalous familiarity with Isabella, the murder of Edward of Carnarvon, who was now as much pitied as he had formerly been blamed, and the public disapprobation of the peace so recently concluded with Scotland, all concurred to embolden his enemies; and associations were formed to remove him from court, and to renew the ordinances which had been enacted and repealed in the last reign.

Oct. 16. A parliament had been summoned to meet at Salisbury, and the barons had been strictly forbidden to arm their attendants and followers. By both parties the prohibition was disregarded. Mortimer with a numerous army entered Salisbury, and Henry earl of Lancaster, the nominal guardian of the king's person, and president of the council, halted with an inferior force near Winchester. The favourite resolved to intimidate his enemies. He burst into the room, in which the prelates

* Rym. iv. 337. 350. 354. 397. Heming. 269.

† Knyght. 2558. 2556. He was also made earl of the marches of Wales, at the same time that John of Eltham, the king's brother, was created earl of Cornwall, and the Butler of Ireland earl of Ormond. Wals. 129.

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had assembled, forbade them under the peril of life and limb to oppose his interests, and taking with him the king and queen, advanced towards Winchester. From Winchester he led his followers to Leicester, and plundered the ample domain of the earl of Lancaster in the neighbourhood. That nobleman had hitherto retired before Mortimer: he was now joined by the king's uncles, the earls of Norfolk and Kent, and ventured to advance in his turn. But at Bedford he was unexpectedly deserted by the royal earls; and despairing of success, submitted to ask pardon before the two armies, engaged to pay by instalments one half of the value of his estates, and entered into recognisances "not "to do, nor procure to be done, any evil or injury to "the king, or the two queens, or any other, whether "great or small, of their council or household." Of his associates, some were admitted to the king's peace on similar terms: but the lords Beaumont and Wake, sir William Trussel, and several others, abandoned their country, and sought an asylum in France *.

Of the tragedy which followed, both the origin and progress are involved in considerable obscurity. As the discontent of the nation increased, many strange reports were circulated and believed. It was even affirmed that the late king was still alive; that the body exhibited at Berkeley was that of another person; and that Edward himself was actually confined in Corfe castle, under the custody of sir John Deverel. When the parliament assembled at Winchester, the earl of Kent the king's uncle, the archbishop of York, the bishop of London, with several knights and gentlemen, were unexpectedly arrested on the charge of having conspired to depose the king, and to replace on the throne his father, the account of whose death they did not believe. What was the real crime of the earl, whether he had opposed the measures of Isabella and Mortimer, or by his influence over the

A. D. 1330. Mar. 11.

* Rot. Parl. ii. 52. Knyght. 2554.

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mind of his nephew had awakened their jealousy, we are ignorant: but from his confession, and the subsequent proceedings, it is plain that the unfortunate prince was surrounded by the secret agents of the court, who under the guise of friendship drew him into the snare which cost him his life. He received letters, undoubtedly forgeries, from the Pope, exhorting him to liberate his brother from prison: different messengers, most of them apostate friars, brought him from several prelates and gentlemen promises of co-operation and assistance: he was assured that the exiles in France, and a body of Scots, were prepared to draw their swords in his favour, the moment he should unfurl the royal standard; and sir John Maltravers, Deverel, and Boeges de Bayonne, not only encouraged him in the notion that the late monarch was alive, but even procured from him letters, which they undertook to deliver to the royal captive. On his examination by sir Robert Howel, the coroner of the household, he ingenuously confessed these particulars, and acknowledged that the answers, which, as soon as they were received, had been taken to the queen, were written partly by himself, and partly by his countess, under his direction. When he was arraigned before the peers, he repeated his confession, and threw himself on the king's mercy. Though they adjudged him to suffer the penalty of treason, it was believed that his birth would save him from punishment. But Isabella was inexorable: the son of the great Edward was led by the order of his nephew to the place of execution, and, after a painful suspense of four hours, a felon from the Marshalsea (no other could be found to perform the office) was induced by a promise of pardon to strike off his head *.

Mar. 21.

That the earl was in reality innocent was afterwards acknowledged by Mortimer himself, when that noble-

* Wals. 129. Rym. iv. 424. Lel. Coll. 476. 552. Murim. 74. Heming. 271.

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man in his turn was led to the scaffold *: nor is it probable that the court would have ventured to shed his blood had he not rendered himself unpopular by his haughty and oppressive behaviour †. The nation suspected that he had been sacrificed to the policy of the queen and her paramour; and this suspicion was confirmed, when many of the accused, even those who had been implicated by the confession of the earl, were suffered to go at large on their recognisances, to answer on a future occasion ‡. To silence the voice of the public, the government issued a proclamation, by which the sheriffs were ordered to arrest and imprison every man who should assert that the earl of Kent had suffered for any other cause than treason; or that he had been condemned without the judgment of his peers; or that Edward of Carnarvon, the king's father, was still alive.

Edward was now eighteen, an age when his predecessors had been deemed capable of governing the realm; and Philippa of Hainault, whom he married in 1328, had borne him a son, the same who is so celebrated in history under the name of the Black Prince. § He felt the state of dependence in which he was kept, and viewed with concern the past and present conduct of his mother. Nor was he without remorse as to the part which he had acted himself. If his extreme youth could acquit him of the crime of dethroning his father, yet he had given his consent to the execution of his uncle, whose guilt was at the best very doubtful, but whose blood had served to cement the power of Isabella and Mortimer. At last

June 15.

* See the petitions of the countess of Kent and her son. Rot. Parl. ii. 33. 55. Both say that Mortimer publicly asked pardon of God for the death of the earl.

† Eo magis a populo querebatur, quia pravam habuit familiam, res popularium eundo per patriam auctoritate propria occupantes, et parum vel nihil solventes eisdem. Murim. 75. Indeed it is evident, from the frequent complaints in parliament, that all the princes of the blood, and occasionally other powerful lords, were accustomed to take purveyance illegally. See Rot. Parl. ii. 9.

‡ In the parliament held after Mortimer's execution they were all acquitted. The archbishop of York brought an action against his accusers, and laid the damages at 1000*l.* Rot. Parl. ii. 31, 32, 54.

§ Philippa was the youngest daughter of William, count of Hainault. She was married to Edward at York, on Jan. 24, 1328, and crowned at Westminster on Feb. 18, 1330.

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he confided his thoughts to the discretion of the lord Montacute, who immediately exhorted him to break his chains, and assume the exercise of the royal authority. The king lent a willing ear to the proposal: a design was formed to seize the person of Mortimer; and it was fixed to make the attempt during the session of the parliament at Nottingham.

When the time came, Isabella, with her son and her favourite, took up her residence in the castle: the prelates and barons were lodged in the town and the neighbourhood. But Mortimer had taken every precaution for his security. A strong guard lay within the walls; the locks of the gates were changed; and the keys were taken every evening to the queen's chamber, and laid on her pillow. Montacute found it necessary to make a confident of sir William Eland the governor, whom he first swore to secrecy, and then acquainted with the royal pleasure. Eland replied that there was a subterraneous passage, leading from the west side of the rock into the castle, which was unknown to Mortimer, and through which he would introduce any number of the king's friends. Montacute, with his associates, fixed the hour, and rode into the country; and the favourite, who had received some dark hints of a conspiracy against himself attributed their departure to an apprehension that their design had been discovered. In the afternoon he informed the council that an attempt to oppress him and the queen mother would soon be made by the exiles abroad, in union with Edward's most intimate acquaintance at home. He even charged the king with being privy to the plot, and refused to give credit to his denial. Before midnight Montacute and his friends returned;
Oct. Eland admitted them by the subterraneous passage; and they were joined by Edward on the staircase leading to the principal tower. They mounted in silence, till they heard the sound of voices in a room adjoining to Isabella's apartment, where Mortimer was engaged in consultation with the bishop of Lincoln and his principal

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advisers. The door was instantly forced, and two knights, who endeavoured to defend the entrance, were slain. The queen, alarmed by the noise, and conjecturing its cause, exclaimed, "Sweet son, fair son, spare my gentle "Mortimer." But her fears would not permit her to remain in bed. She burst into the room, crying out that he was a worthy knight, her dearest friend, her well-beloved cousin. In defiance of her tears and exclamations, Mortimer was secured; and the next morning the king announced by proclamation that he had taken the reins of government into his own hands, and summoned a new parliament to meet in a few weeks at Westminster *. Oct. 20.

By this parliament Mortimer was condemned. The principal charges against him were, that he had fomented the dissensions between the late king and his queen, and falsely persuaded her that she could not return to her husband without the danger of her life; that he had illegally assumed that power, which was vested by law in the king's council alone; that of his own authority he had removed the late king from Kenilworth to Berkeley, where he caused him to be put to death; that he had induced the present king to march with force of arms against the earl of Lancaster and other peers coming to parliament, and had compelled them to pay excessive fines for the preservation of their estates; that by his agents he had induced the late earl of Kent to believe that the king his brother was alive, and then procured his death on pretence of treason; and that he had embezzled the royal treasures, and had divided with his associates the twenty thousand marks already paid by the king of Scots. The peers retired with the bill of impeachment, and after some deliberation, returned to the Nov. 26.

* See Rym. iv. 452. 473. Knyght. 2555, 2556. 2558. Wals. 130. Heming. 271. Avesb. 8. In the writs directed to the sheriffs, they are ordered to cause to be chosen by the common assent of the county two of the most loyal and sufficient knights or *serjeants*.

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Nov. 29. king, declared that all the charges were notoriously true, and as judges of parliament condemned Mortimer "to be "drawn and hanged, as a traitor and enemy of the king "and kingdom." He was executed at Tyburn; the first, it is said, who honored with his death that celebrated spot. They next proceeded, at the request of Edward, to try his associates, having previously protested that they were bound by law to sit in judgment on none but peers of the land. Sir Simon Bereford, sir John Maltravers, John Deverel, and Boeges de Bayonne were condemned to death as accomplices of Mortimer; the first in all his treasons, the other three in the deception and consequent execution of the late earl of Kent *. Bereford Dec. 22. suffered at Tyburn: but as the other three were at large, a price was set on their heads †. The queen mother at the solicitation of the Pope was spared the ignominy of a public trial ‡: but Edward reduced her income to three thousand pounds, and confined her to the manor of Risings, where she passed in obscurity the remaining twenty-seven years of her life. The king annually paid her a visit of ceremony: he even added a thousand pounds to her yearly income; but he never more allowed her to assume any share of political power. After these executions he asked the advice of John XXII. for the regulation of his subsequent conduct; and was exhorted by that pontiff to shun the danger of favouritism, and, instead of following the interested coun-

* Rot. Parl. ii. 42. It is observable that on this occasion the disgusting practice of embowelling was omitted.

† They were sentenced to be beheaded after they had been hanged. I know not whether the reward for their apprehension was apportioned by their quality or their demerit; but for Maltravers were offered a thousand marks, for Boeges 100 pounds, and for Deverel 100 marks. The price of their heads was fixed at 500 pounds, 100 marks, and 40 pounds. Rot. Parl. ii. 53. It was in the same parliament that the murderers of the late king were condemned. See vol. ii. p. 552.

‡ John XXII. wrote to exhort him to show mercy to his prisoners, and not to expose the shame of his mother. Obsecramus te, fili, per viscera misericordiæ J. C. ut matris pudori, quantum secundum deum poteris, velis parcere et ejus lapsum, si quis (quod absit) fuerit, non publicare, sed quantum bono modo poteris, ipsum potius studeas occultare. Nov. 7, apud Raynald, iii. 413.

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cils of a few individuals, to govern by the united advice of his barons, prelates, and commons assembled in parliament *.

Robert Bruce, king of Scotland, had lived to see the independence of his crown acknowledged by the king of England. At his death he left to Randolf, earl of Moray, the guardianship of his son David, who was only in his seventh year. Formerly many of the barons of each kingdom possessed at the same time lands in the other. These, during the war, had been seized by the respective sovereigns: but it was confidently expected that at the peace they would be restored to their original owners. It seems, however, that by mutual consent, the great body of claimants, both Scots and English, was passed over in silence: only two of the negotiators, the lords Percy and Wake, had the address to insert a particular clause in their own favour, and in favour of the lord Beaumont, the friend of Mortimer. Percy recovered his lands in Angus and Galloway, and in return an estate in Northumberland was, "by the king's special "favour," restored to Douglas, the Scottish negotiator. But Wake and Beaumont had joined the earl of Lancaster: the resentment of Mortimer compelled them to leave the kingdom; and their outlawry afforded the Scottish government a plausible pretext to refuse the restoration of their estates. Now, however, that Mortimer had fallen, and the exiles were recalled, Edward demanded that the treaty should be fulfilled in favour of these two barons. Randolf, the guardian of Scotland, required time to consult the parliament; and when the demand was repeated, again returned an evasive answer †. In the mean time Wake and Beaumont repaired to the northern counties, where they were joined by all

A.D. 1329. June 7.

A. D. 1331 Dec. 1.

* .....Ut circumspectio regia non uni nec duobus communicaret regimen, nec unius vel duorum consilio regeretur, sed generali prælatorum, principum, et aliorum nobilium et communitatum concilio congregato. Raynald, iii. 430. He at the same time dissuaded the king from going to Ireland.

† Rym. iv. 461. 471.

A. D. 1332. Feb. 24. the English lords, who claimed lands in Scotland, and by Edward Baliol, the son and heir of John Baliol, whom the king's grandfather had compelled to resign his crown. After some consultation they resolved to appeal to the sword; a resolve which placed Edward in a very delicate situation. On the one side he had sworn to observe the peace, had given his sister in marriage to the young king of Scotland, and had received the stipulated sum of twenty thousand pounds from the guardian of David; on the other the minority of David offered the most favourable opportunity of recovering that superiority, which he would not have surrendered had not Bruce taken the advantage of similar circumstances to invade England in violation of his oath. His counsellors, however, though they might secretly wish success to the enterprise, determined not to tolerate any open infraction of the treaty; and as soon as it was ascertained that the "querellours" (so the disinherited lords were called) were collecting forces to invade Scotland, the sheriffs of the five northern counties were enjoined to forbid, under Mar. 24. pain of forfeiture and imprisonment, the passage of armed men through the marches, or the perpetration of any act which could be deemed a violation of the peace. Disconcerted by these orders, Baliol, with his associates, was compelled to alter his plan; and having secretly collected his followers in Holderness, he sailed with about three thousand men from Ravenspur, a port in the mouth of the Humber. Edward was at the time at Wig- Aug. 9. more in the marches of Wales: but on the arrival of the news he appointed the lord Percy his lieutenant in the north, with full power to punish every infraction of the peace by his own subjects, and to repel the Scots if they should pass the borders with hostile intentions *.

When we read the adventures of Baliol, we may fancy Aug. 6. ourselves transported into the regions of fiction. He lands at Kinghorn in Fife, orders his fleet to the mouth

* Rym. iv. 529.

of the Tay, and hastens to meet an enemy, whose force is twenty times greater than his own. At Dunfermline he learns that the earl of Marre, the new regent (for Randolf was dead) is at Duplin, and the earl of March at Auchterarder, each at the head of thirty thousand men. He boldly throws himself between them, passes the river Earn in the dead of the night, and puts to the sword the sleeping and defenceless Scots, till the dawn of morning dispels the darkness, and allows the regent to discover his enemy. In the eagerness of revenge that nobleman hurries into a narrow pass, where his numerous followers, unable to arrange themselves in order, offer an easy victory to the English. I shall not startle the faith of the reader by enumerating the thousands of the slain: but the deaths of the earl of Marre, of many barons, and of almost all the men at arms, sufficiently prove the enormous loss of the Scots. From Duplin moor Baliol hastens or rather flies to Perth, while the earl of March, who had not joined in the battle, pursues with equal rapidity. The adventurer has just time to clear the ditch, and erect a defence of palisades, before the enemy arrives. His good fortune, however, befriends him again. The Scottish fleet is destroyed in an attack on the English squadron in the Tay; distrust and scarcity gradually dissolve the army of the besiegers; the ancient friends of his family resort to his standard; and he is crowned at Scone by the bishop of Dunkeld. Astonished at the rapidity of his success, his enemies solicit a suspension of hostilities, and propose a convention of the states to settle the kingdom. Baliol consents; is surprised at Annan by the earl of Moray during the armistice; and with difficulty escapes to the English marches, a solitary and helpless fugitive. It employed him only seven weeks to win the crown: in less than three months he had lost it *.

Aug. 11. Aug. 12. Aug. 13. Aug. 26. Sept. 24. Dec 16.

When the news of Baliol's first success arrived, the Sep. 9.

* Ford. xiii. 23—25. Hem. ii. 278. Knyght. 2560. 2562. Scala Chron. 159—161.

parliament was sitting at Westminster, and had been consulted by Edward respecting the expediency of a voyage to Ireland. They now advised him to postpone every other business, and to repair to the northern counties with the wisest of his council, and a numerous body of forces to prevent or repel the inroads of the Scots.

Dec. 4. Another parliament was held at York in December, and to it the king put the question, whether he ought to require from Baliol, who was now king of Scotland, a recognition of the superiority of the English crown, or to claim the kingdom for himself as heir to Edward I. to whom it had been forfeited; or content himself with requiring some concession as an equivalent from the new king. The members present requested permission to wait till there should be a fuller attendance: and about a month later the prelates, barons, and commons assembled in three separate chambers to deliberate on the subject. But the opinions were so divided, that at the end of five days they had come to no determination; and

A.D. 1333. Jan. 22. Edward calling them before him, announced by the chancellor that he would take the advice of the pope and the king of France; and in the mean time order a vigilant watch to be kept in the marches, and have six of his council always near his person, to be prepared for any event which might happen *.

Nov. 23. Before Edward put this question to his parliament he had secretly concluded two treaties with Baliol. By the first the new king acknowledged that the crown of Scotland was a fief belonging to the crown of England; transferred to Edward the town and castle of Berwick, to which other lands were to be added to the yearly value of two thousand pounds, in return for the advantage which he had derived from "the sufferance of his "said lord and the good aid of his vassals;" offered to marry the princess Jane, if her marriage with David

* Rot. Parl. 66—69. The first chamber consisted of six prelates and six barons; the second of the other prelates and barons, and the proxies of prelates and barons, and the third of the knights, citizens, and burgesses. Ib.

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Bruce did not proceed; and engaged to grant to that young prince such an establishment as the king of England should think proper. By the second, each monarch bound himself to assist the other with all his power against every domestic enemy. These treaties were to have been ratified in their respective parliaments: but the expulsion of Baliol suspended their effect, and they were in all probability concealed from the knowledge of the public *.

But the real wishes of the English king were soon gratified by the impetuosity of the Scots; and their repeated incursions furnished him with the pretext that they had violated the treaty of peace, and induced the English parliament to give its approbation to a renewal of the war. The campaign was opened by Baliol with the siege of Berwick, which was gallantly defended by the earl of March, the commander of the castle, and sir Alexander Seaton, the governor of the town. Two months elapsed before the king of England arrived: but the operations of the siege were immediately pushed with new vigour; and in a general assault the town was set on fire. The inhabitants, intimidated by the danger, stipulated to open the gates, unless they were relieved before a certain day; and sir Archibald Douglas, the new regent, anxious to save so important a fortress, passed the Tweed with a numerous army, and offered battle to the besiegers. Edward kept within his intrenchments; and the regent, having thrown a few knights and some provisions into the place, departed the next morning, ravaged Northumberland, and laid siege to the castle of Bamborough, in which queen Philippa resided. The king now demanded the surrender of the place: the Scots replied that it had been relieved; and

Mar. 3.

May 15.

July 11.

* Rym. iv. 536—539. In this instrument Baliol says that he had done liege homage and sworn fealty to Edward for the Scottish crown. He even relates the very terms of his oath. Yet there is no evidence or probability that they had ever seen each other since the commencement of Baliol's expedition.

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the English in revenge hanged one of the hostages, the son of the governor. This act of severity alarmed the relations of the hostages that survived; and new agreements were made by the earl of March and sir William
July 16. Keith, who had assumed the command of the town, to admit the English within the walls at the end of five days, unless the Scottish army should previously raise the siege, or introduce a body of three hundred men at arms into the place between sunrise and sunset of the same day *. A messenger was instantly despatched to the regent, and on the afternoon of the fourth day the
July 19. Scottish army was seen advancing in four bodies to attack the besiegers. Edward drew up his army on Halidon hill; from which the archers annoyed the enemy, as they struggled through the marshy ground at the foot, and climbed up the declivity of the mountain. The Scots were fatigued and disordered before they could reach their opponents; and the obstinacy with which they fought served only to increase their loss. The regent, six earls, and many barons fell on the field of battle: the fugitives were pursued by Edward and a party of horse on one side, and by the lord Darcy, and his Irish auxiliaries on the other; and the slaughter is said to have exceeded that of any former
July 20. defeat. The town and castle were immediately surrendered; and the young king with his wife, the sister of Edward, was conveyed, for greater security, from Dunbarton into France, where he resided for several years at Château Gaillard †.

A. D. 1334. Feb. 9. Baliol was now again seated on the throne of Scotland, and Edward required him to fulfil his former engagements. A parliament was called at Edinburgh: the demands of the king were admitted without opposition; and at first Berwick, then all the country to the east of

* Compare the documents in Rymer (iv. 564—568) with the very circumstantial account of the siege in the extract from the Scala Chronica, published by lord Hailes, ii. 316, and Scala-Chronica by Stevinson, 163.
† Knyght. 2563, 2564. Ford. xiii. 27, 28. Heming. ii. 275, 276.

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a line drawn from Dumfries to Linlithgow was by general consent separated from the crown of Scotland, and annexed to that of England*. This impolitic dismemberment of the kingdom enraged the Scots; while the dissensions among the English barons, who had been restored to their estates, encouraged the friends of David. A new guardian or regent was appointed, the cause of independence again triumphed, and Baliol was compelled to take refuge in the lands which he had ceded to Edward. But it would weary the patience of the reader to pursue his history to a greater length. For several years he contrived to struggle against the obstinacy of his opponents and the perfidy of his followers. As long as he was supported by the king of England, he rose victorious from every disaster: but from the moment that Edward determined to claim the crown of France the war was suffered to languish; fortress after fortress surrendered to the adherents of David: that prince at length ventured to revisit his kingdom; and Baliol, instead of wielding the sceptre of Scotland, was employed in protecting from insult the northern counties of England†. Feb. 12.

To understand the line of policy pursued by Edward during the remainder of his reign, we must revert to the succession of the French monarchs. Philip IV., surnamed the fair, died in 1314, and left three sons, Louis, Philip, and Charles, who all, in the short space of fourteen years, successively came to the throne, and all died without male issue. The eldest of the three, Louis X., died in 1316, and though he left a daughter was succeeded by his brother Philip; Philip died in 1322, and though he left four daughters was succeeded by the third brother Charles, the succession in both cases being determined in favor of the nearest heir male, on the princi-

* Rym. iv. 590. 614. Rot. Scot. 261—3.

† David with his consort landed at Inverbervie, 4th March, 1341. Those who wish to be acquainted with the Scottish transactions of this period may find a satisfactory account in the Annals of Scotland, by lord Hailes, ii. 163—213.

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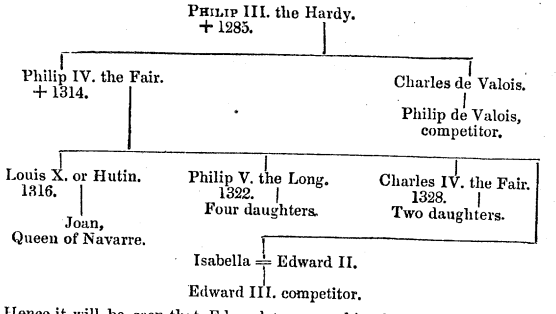
ple that by a fundamental law of the monarchy females were excluded from the throne. Charles died in 1328, leaving two daughters, who of course were set aside for Philip de Valois, the nearest heir in the male line to Philip III. On the birth of the second daughter, more than three months after her father's death, Edward was advised by his parliament, sitting at Northampton, to claim the French crown, as being of all the male descendants of Philip III. the nearest in blood to his uncle the last monarch; and under that pretence the bishops of
1328. Worcester and Lichfield were despatched to France, to
May claim and take possession in the king's name. Whether
16. they arrived in time is unknown. If they did the claim was rejected, for Philip was crowned, with the full consent of the states, in a few days. Nor did the new monarch wait long before he summoned his English competitor to come and do homage for the duchy of Guienne to him, as his liege lord *.

The jealousy which these rival claims had excited

* Rymer, iv. 354. Stratford in Ang. Sac. i. p. 29. These rival claims will be better understood from the following Table:—

* Their descent will perhaps be better understood from the following Table:—



Hence it will be seen that Edward, to prove his claim, was obliged to maintain three principles: 1°. That females were excluded from the crown of France, otherwise Jane, the daughter of Louis X., ought to have succeeded to that crown as well as to the crown of Navarre; 2°. That the male issue of such females was not excluded, otherwise he could have had no right himself; and 3°. That such male issue, to inherit the crown, must have been born during the lifetime of the grandfather; otherwise the grandsons of Philip V. and Charles IV. would have had a better title than Edward.

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was never extinguished; and each prince had, or pretended to have, many causes of complaint against the other. Philip kept possession of several fortresses in Guienne claimed by the king of England; and Edward, when after much tergiversation he consented to do homage, did it in general terms, omitting the liege promise of faith and loyalty *. In 1331 a partial adjustment of their differences took place: Philip restored certain castles to Edward; and Edward by a public instrument acknowledged that the homage for Guienne ought not to have been general but liege †. The other subjects of contention were referred to the award of arbitrators; and a confident hope was entertained that peace would be preserved, when the opposite interest which each felt in the affairs of Scotland awakened their former jealousy, aud hurried them into hostilities.

A.D. 1331 Mar. 30.

It had long been the policy of the French crown to support the Scottish kings against the superior power of England. When David was driven from his throne, Philip took him under his protection, gave him an asylum in his dominions, and repeatedly aided his partisans with money and ships. Edward beheld this conduct with displeasure, and laboured, but in vain, to detach the French monarch from the cause of the orphan. He suggested to him different intermarriages between their children, proposed to pay him a considerable sum in return for the restoration of his fortresses, and offered to accompany him in a crusade to the holy land ‡. But the jealousy of Philip was not to be laid

July 15.

A.D. 1332. Apr. 26.

* Rym. iv. 390. N. Rym. ii. 797. To prevent future disputes, it was agreed that the ceremony should be performed in the following manner. The king of England puts his hands between those of the king of France, and the officer of the court says to him, Sir, you become the man of the king of France, my lord here present, as duke of Guienne and peer of France, according to the agreements formerly made between the ancestors of the king of France and yours. Say voire, that is, yes. And the said king and duke says, voire. Id. 391.

† Rym. 477.

‡ Edward, both before and during the war, published these offers in his own justification. Rym. iv. 805. v. 160.

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asleep: every advance was eluded or rejected; and continued irritation induced the king to turn his arms from Scotland against France, and to revive his former claim to the French crown, which by doing homage to Philip he had in fact abandoned long ago. It might flatter the vanity of Edward as a bold, but the event showed that it was an injudicious, measure. Unincumbered with a continental war, he was perhaps equal to the conquest of Scotland. By aiming at too much, he ultimately gained nothing.

By the public the king's determination was attributed to the influence of a stranger and an outlaw, whose previous conduct had brought indelible disgrace on his character. Robert II., count of Artois, had two children, a son Philip, and a daughter, Matilda. Robert, the present adviser of Edward, was the son of Philip: but his father had died before the grandfather; and in Artois the succession did not follow the line of descent, but was attached to proximity of blood. Hence it happened, that on the death of Robert II. Matilda obtained the county in preference to her nephew. She died in 1318, and Robert immediately seized Artois by force; but was soon expelled by Philip V. of France, who claimed it in right of his wife, the daughter of Matilda. Robert acquiesced: but when Philip of Valois, whose sister he had married, ascended the throne, he demanded a revision of the judgment which had deprived him of Artois. His petition was granted; and during the process he laid before the court four charters, which he pretended had been purloined, and secreted by Matilda, but which on examination proved to be forgeries. The fabricators of these instruments were condemned and executed: Robert fled to Namur, and was declared an outlaw. The time of his exile was employed in devising schemes of revenge: the king and queen of France became the principal objects of his hatred; and to satisfy it, he had recourse to the spells of the sorcerer, and the dagger of the assassin. Driven from Namur, he came

A. D. 1331. Mar. 23.

A. D. 332. Mar. 19.

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to England, where he insinuated himself into the confidence of Edward, obtained from him a yearly pension of eight hundred pounds, and in return taught him to indulge, the flattering but visionary hope of being able to tear the French crown from the brows of Philip, and to place it on his own head*. A.D. 1337.

To carry into execution the mighty designs which he had formed, Edward was advised to solicit the aid of the continental princes and sovereigns. With this view he concluded alliances with Louis of Bavaria, emperor of Germany, the dukes of Brabant and Gueldres, the archbishop of Cologne, the Marquis of Juliers, the counts of Hainault and Namur, and other princes of inferior consideration and power. He sought out, and retained every foreign adventurer, who could bring a few men at arms into the field; and condescended to cultivate the friendship of Jacob Von Artaveldt, the celebrated brewer of Ghent, who had established democratic factions in all the opulent cities of Flanders, and with their aid reigned more absolutely than the earl, the rightful but almost nominal sovereign. Neither did. Philip neglect the storm which he saw gathering around him; he took into his hands Edward's possessions in France†, and sought to fortify himself with the aid of his neighbours. Among his allies he numbered the kings of Navarre and Bohemia, the dukes of Bretagne, Austria, and Lorraine, the palatine of the Rhine, and most of the petty princes of Germany. Thus more than half of the sovereigns of

* See a memoir by Mons. de Laverdy, in the account of MSS. in the library of the king of France, ii. 337. Froissart, i. 27. Rym. v. 19.

† But not actual possession: that would have been a more difficult matter. His commissioners appeared before the seneschal and council in Bordeaux, and said, that the king of France, in consequence of the several rebellions of Edward king of England, duke of Guienne, his liege man, and especially of his reception of the traitor Robert of Artois, had appointed them to take possession and seizin in his name of the duchy of Guienne, and its appurtenances, which they accordingly did, and required him to give orders that they should be obeyed. He replied that he should not, but would inform his master. The same ceremony took place at the gates of two other towns into which they were not admitted. Thres. des Chart. 37, 8.

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Europe were arrayed against each other, and the eyes of all christendom were directed to the issue of the contest*.

A. D. 1338. The king, to defray the expenses of his intended expedition, had recourse to subsidies, tallages, and forced loans: he pawned his jewels and crown; he seized for his present use the tin and wool of the year; and yet he had the address to make the war popular with the nation, or at least with its representatives. The commons petitioned him to pursue his right: the lords gave their consent†, and in the summer of 1338 he sailed with a numerous fleet from Orwell to Antwerp. To his disappointment he soon learned that it was more easy to purchase the promises than the co-operation of his allies. Though he granted commercial indulgences to the towns of Brabant and Flanders, though he scattered with a lavish hand the treasures which he had brought with him from England, every attempt to draw them into the field was fruitless; and he was compelled to satisfy himself with their respective engagements to join him the next year in the month of July, and to open the campaign with the siege of Cambray. Even this cost him a journey to Coblentz, where the emperor, by investing him with the title of vicar or deputy, gave him authority to receive the homage, and to command the services of the princes belonging to the empire‡. In the spring he summoned his allies to assemble at the appointed time; and about the middle of September he was able to lead an army of fifteen thousand men at arms to the walls of Cambray, which with its territory was comprehended within the ancient limits of the empire. Here he spent four days in laying

Feb. 24.

July 16.

Sept. 2.

A. D. 1339. Sept. 4.

* Froissart, c. 27, 28. Rym. iv. v. passim.

† He says he undertook the war assensu procerum, et ad instantiam communitatis, v. 3.

‡ It appears from Rymer that he was at Coblentz till the 6th of September. Rym. v. 31. Walsingham tells us that the emperor was displeased, because Edward did not, like other princes, offer to kiss his imperial feet, but was answered, that being an *anointed* king, he was exempt from that obligation. Wals. 146.

waste the country: but as soon as he had crossed the borders of France the counts of Namur and Hainault fell back, on the pretext that his authority as imperial vicar expired the moment he entered a foreign territory. He dismissed them with thanks for their past services, and continued his march, ravaging the country, and burning the villages for the breadth of twelve leagues, from Bapaume to Peronne and St. Quintin. Here, however, the rest of his allies refused to advance. Why, they asked, should they leave the frontiers of Hainault, whence they drew all their supplies? Let Philip come and seek them, since he had so often sworn that the king of England should never possess two feet of land, nor spend a whole day within the borders of France *. Edward reluctantly yielded to their advice, and directed his march towards the Ardennes, when letters were received from different persons in the French army, offering on the part of Philip to fight on the following Thursday, if the king would choose a field of battle in an open plain, without wood, water, or morass. He therefore recalled his detachments, which had spread devastation to the gates of Laon, and waited for the enemy at the village of La Flamengrie. On the Friday evening it was ascertained, from the information of the prisoners, that Philip was arrived at Vironfosse, about five miles distant, and intended to fight the next day. In the morning Edward marshaled his forces on foot in three divisions, with the English archers and Welsh lancers before the men at arms; and, mounting a palfrey, rode from banner to banner, recommending to the courage of the troops the preservation of his honour. Philip had arrayed in similar order his more numerous force; but his ardour for battle was checked by the cooler policy of his council, who represented that the king of England dared only creep along the borders; that such another expedition must be his ruin; and that it was folly to

Sept. 25.

Oct. 17.

Oct. 22.

Oct. 23.

* Phelip de Valoys avoit jurez que nous ne ferrons jammes demeore une jour od ûre host en Fraunce, qil ne nous durroit bataillie. Avesb. 47.

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stake a crown on the uncertain issue of a battle, when the best advantages of victory might be secured without any risk. The English, full of hope and courage, impatiently waited the approach of the enemy: in the evening their scouts reported that the French were employed in felling trees, opening ditches, and fortifying their camp. The king repaired for the night to Avesnes, and sent word to Philip that he would expect him another day; but learning that the enemy had marched
Nov. 1. back into the interior, he returned to Brussels, thanked his allies for their exertions, and disbanded his army. Such was the issue of this formidable expedition, in
Nov. 12. which Edward had uselessly expended the immense treasure which he had drawn from England, and had moreover involved himself in debt to the enormous amount of three hundred thousand pounds *.

From the moment that the real object of the king of England was disclosed, the pope Benedict XII. had most earnestly laboured to prevent the effusion of blood. With this view he had repeatedly despatched legates to the contending monarchs, and at last had offered as their common father to take on himself the office of arbitrator, and to weigh with an impartial hand their respective pretensions. But when he learned that Edward had sought the friendship of the emperor Louis,
Oct. 12. and accepted from him the title of vicar of the empire, he wrote a long and expostulatory letter, reminding the king that Louis had never been acknowledged as emperor by the apostolic see; that he had raised up an anti-pope, and endeavoured to plunge the Christian world into schism; that he had been excommunicated by the last pontiff; and that a similar sentence had been
A. D. 1340. fulminated against his abettors. But the king was immoveably fixed in his purpose: he evaded the offers and
Jan. 30. reproaches of the pontiff by declaring that it was his earnest wish to reconcile Louis with the church, and

* See the king's letter in Avesbury, 47—49. Heming. 369. Knyghton, 2573. Froissart, c. 39, 40, 41.

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that he was ready to accede to any honourable terms, which Philip or Benedict might propose*; and immediately afterwards, at the solicitation of Artaveldt, publicly assumed the title of king of France, and quartered in his arms the French lilies with the English lions. In two proclamations issued at Ghent, and circulated through the Low Countries and the neighbouring provinces, he set forth his undoubted right to the French crown, of which, by reason of his tender age and ignorance of law, he had been deprived by the insatiable ambition of the lord Philip de Valois; enumerated all the injuries which he had received from that prince by the invasion of his rights in Guienne, the support of his rebellious subjects in Scotland, and the depredations committed on the English commerce at sea; and concluded with a declaration that he now revoked his former homage and his recognition of Philip, and took upon himself, what was his own hereditary right, the dignity of king, and the government of the kingdom of France †. Feb. 1.

This new measure drew from the pontiff a sensible and affectionate reproof. He wrote to Edward that his own ambition, and the interested advice of his allies, were leading him into difficulties and disgrace; that it was madness for a stranger to rely on the fidelity of the men of Flanders, who had always been noted for disloyalty to their native princes; that he had acted precipitately at the best in proclaiming himself king of France, before he was in possession of any part of that kingdom; that, unless the heirs of females were capable by law of inheriting the crown, he could have no pretensions; and if they were, there existed persons still living, the issue of the daughters of his uncles, who had a nearer, and therefore a better claim; that by doing homage to Philip de Valois he had acknowledged the title of that prince, and by assuming it himself would Mar. 5.

* Rym. iv. 826. v. 88. 128. 146. 156.

† Rym. v. 158—163.

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irritate all natives of France; that to wrest the sceptre from his rival by force was, in the estimation of every indifferent judge, an impracticable attempt; and that the event would convince him of the perfidy of his allies, who, when he had once exhausted his treasures, would leave him to make the best terms he could with an exasperated and powerful adversary *.

Feb. 21. But no arguments could convince the ambition of Edward. To raise money for the payment of his debts and the expenses of another campaign, he determined to Mar. 29. revisit England, and left his queen at Ghent as an hostage for his speedy return. From his parliament he obtained an unprecedented supply of the ninth lamb, the ninth fleece, and the ninth sheaf †, with an additional duty on the exportation of wool for two years; and was preparing to fulfil his engagement, when advice was brought that Philip, to intercept him on his passage, had assembled with the aid of the Genoese and Normans a powerful fleet in the harbour of Sluys. The king immediately collected every vessel in the southern ports, and declared his intention to seek and fight the enemy. The opposition and entreaties of his council were despised. "You are all," he exclaimed, "in a "conspiracy against me. I shall go: those who are June "afraid, may stay at home." He sailed with a gallant 22. fleet from Orwell, and the next evening, off Blakenberg, discovered across a neck of land the forest of masts which occupied the harbour. Three knights were landed, who reported at their return, that they had reckoned nineteen sail of unusual dimensions, two hundred ships of war, and a still greater number of smaller vessels. June During the night the enemy moved from their anchor- 24. age, and at sunrise were discovered in four lines moored

* Id. v. 173. † After the deduction of a tenth for the payment of tithe, the ninth part of the remainder is equal to the aforesaid tenth. It was this sort of ninth which the parliament gave to the king. After several experiments, he decided that it should be levied in every parish according to the valuation of certain of the parishioners upon oath, and that, if the amount was not equal to the amount of the tithes according to the taxation of Pope Nicholas in 1292, a sufficient reason should be assigned for the deficiency. See the *Nonae* Rolls.

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across the passage. Their ships carried turrets provided with stones on their mast heads, and were fastened to each other with chains of iron. Edward placed the strongest of his ships in front, so that every vessel carrying a body of men at arms was accompanied by two sail manned with archers: while the noble ladies, who, to the number of fifty, had come to wait on queen Philippa were intrusted to the protection of a strong guard behind the reserve. At first the king put out to sea; a movement which impressed the enemy with a notion that he declined an engagement: but his object was to avoid the sun, which shone full in his eyes; and soon afterwards, having the wind and tide in his favour, he bore down on the first line of the French. Each commander selected his opponent, and met with a gallant resistance: but the discharge of the archers gradually cleared the decks of the enemy; the men at arms immediately boarded; every ship in the first division was captured; and the banner of England waved triumphantly over the colours of France.

At this important moment arrived the lord Morley with a fleet from the northern counties; and the victors with their friends proceeded to attack the three remaining divisions. But a panic struck the second and third lines of the enemy: the men leaped from their ships, which they could not disengage, into their boats; and more than two thousand are said to have perished in the waves. The fourth line remained, consisting of sixty large vessels, reinforced by the bravest of those who had escaped from the captured ships. This, though the victory was already won, opposed an obstinate resistance to the conquerors; and by prolonging the contest till midnight afforded to a few stragglers the opportunity of escaping in the dark. With the exception of these the whole fleet remained in the hands of the English. Edward is said to have lost two ships, which were sunk, and about four thousand men: the slain and drowned of the enemy amounted to seven times that number *

* For this battle, see Froissart, c. 49. Avesbury, 55. 59. Heming. 320, 321. Knyght. 2577. Rymer, v. 195.

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History hardly presents an instance of a naval victory more complete or more sanguinary. The French ministers dared not acquaint Philip with the disaster: it was first hinted to him by his buffoon *.

Crowned with the laurels of victory Edward landed the next morning, repaired to the church of Ardenbourg to return thanks to the Almighty, and hastened to visit his royal consort at Ghent. The report of his arrival soon crowded his court with the principal of his allies, and the treasures which he brought with him gave such activity to their exertions, that in a short time he marched at the head of two hundred thousand men to undertake at the same time the two sieges of Tournay and St. Omer †. Yet these mighty preparations, which astonished all Europe, after a few weeks ended in nothing. The force which, under Robert of Artois, advanced towards St. Omer, was dispersed before it reached its destination.
July 26. A detachment had been surprised in the little town of Arques: some of the fugitives about midnight reached the camp in the vale of Cassel; a causeless alarm was raised and propagated with rapidity, and sixty thousand men fled in every direction, leaving behind them their baggage, their arms, and their general ‡. Edward himself surrounded Tournay with a numerous force: but it was resolutely defended by a garrison consisting of thirty thousand select men. From his camp he wrote, in the true spirit of chivalry, a challenge to Philip de Valois, proposing to him to fight singly, body to body, or to leave the decision of their quarrel to one hundred combatants on each side, or to appoint a day when they
July 30. should engage with all their forces. The king of France replied, that it was not for him to answer letters addressed to Philip de Valois: but he would observe that Edward, in violation of his homage and fealty, had a

* The buffoon called the English cowards; and when the king asked the reason, replied that they had not the courage to leap into the sea like the French and Nosmans. Wals. 148.

† See his letter to his parliament, Rym. v. 197. ‡ Froissart, c. 61.

second time entered the French territory, and that his sovereign lord would drive him out of it again whenever he should think proper *. Philip had resolved to pursue the same policy, which had proved so useful the last year, to exhaust the finances of his rival without allowing him an opportunity of gaining any decided advantage. From the neighbourhood of Bouvines, at the short distance of three leagues, he watched, but did not interrupt the operations of the besiegers. The garrison had turned every useless mouth out of the city; yet at the expiration of some weeks the horrors of famine were severely felt, and the fall of the place was confidently anticipated, unless it should be relieved by the result of a battle. At this crisis Jane of Hainault, the sister to the king of France, and mother to the queen of England, left the convent in which she had resided since the death of her husband, and on her knees besought Edward to consent to an accommodation †. Nothing could be more repugnant to his wishes or interests. But the predictions of the pontiff now began to be verified. His treasures were exhausted: his allies refused to fight without money; and he reluctantly acquiesced in an armistice for nine months, in which the Scots were included, and which before its expiration was prolonged for another year ‡. A hope was cherished, that in the interval might be laid the foundation of a lasting peace: but, though the pope employed all the influence which he possessed, nothing could subdue the obstinacy of the two monarchs. Edward, indeed, was induced to waive his other claims, provided he might enjoy not only the possession but also the sovereignty of Guienne: but the pride of Philip refused to treat on any conditions

Sept. 25.

* Rym. v. 198—200. He added a verbal message, that he was ready to meet Edward singly on any day, on condition that the victor should succeed to the crown of the vanquished. This is subjoined to the challenge in the copy preserved in the Thresor des Chartres, p. 39.

† Froissart, c. 62. Avesb. 64.

‡ Rym. v. 205—281. His excuse to the emperor is that he was compelled by his allies. Oportuit nos eorum sequi consilia qui nobis comitivam et auxilium tunc fecerunt. Id. 264.

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till his rival had erased from his arms the lilies, and formally renounced the title of king of France.

Edward retired in sullen discontent from the walls of Tournay. By the most urgent messages he required money from England: but the exchequer was unable to satisfy his wants; and the clamour of his allies, who demanded the discharge of their arrears, compelled him to borrow of usurers at exorbitant interest *. Some of the courtiers improved the opportunity to instil into his mind suspicions of the fidelity of his ministers; and suddenly, without any previous notice, leaving the earl of Derby and other noblemen in pledge with his creditors †, he sailed in stormy weather from a port in Zealand, stole unperceived up the Thames, landed about
Nov. 30. midnight at the Tower, and the next morning displaced the chancellor, treasurer, and master of the rolls, confined three of the judges, and ordered the arrest of most of the officers employed in the collection of the revenue. But the man whom he principally wished to secure, archbishop Stratford, president of the council, escaped to Canterbury, and set his enemies at defiance. When he was summoned to appear before the king, he appealed in his own favour, and in favour of his colleagues, to
A D. the provisions of the great charter, renewed the ancient
1341. excommunication against those who should violate the
Jan. 1. liberties of Englishmen, refused to answer before any other judges than his peers assembled in parliament, and reminded the monarch of the fate of his father, who had by his arbitrary proceedings forfeited the love of his subjects. Edward, afraid in his present circumstances to proceed to extremities, condescended to enter into a personal controversy with the primate, and ordered a proclamation to be read in all the churches
Feb. 10. accusing Stratford of having intercepted the supplies granted to the king, and either appropriated them to himself, or diverted them into different channels ‡. To

* Rym. v. 226. † Id. v. 277. ‡ New Rym. ii. 1. 42. 6, 7.

this proclamation the archbishop opposed a circular letter, in which he victoriously refuted the charge, by showing that it was impossible to collect the taxes for the whole year during the siege of Tournay; and that, if they had been collected, they were already mortgaged for the payment of the debts contracted in the preceding year *. The sequel of the quarrel is interesting, as it involved a question respecting the privileges of the peerage. When the parliament assembled the archbishop obeyed the summons, but was stopped at the entrance of the hall, and hurried into the court of exchequer to hear an information which had been lodged against him by the king's order. On the following days he repeatedly attempted to enter, and was repeatedly excluded, with the bishops of Chichester and Lichfield, the late chancellor and treasurer. He protested against the injury which was thus offered to the first peer in the realm: the other lords considered it a violation of their privileges; and their opposition compelled the king to adjourn the parliament from day to day. At length he allowed the primate to take his seat; but immediately left the house, and employed sir John Darcy and sir William Killesby to accuse him before the citizens of London and the house of commons. But the lords were not to be diverted from their purpose. They petitioned the king to acknowledge that, when a peer was impeached by the crown, he could not be compelled to plead before any other tribunal than the high court of parliament; and, when Edward objected that such an acknowledgment would be prejudicial to the public interests, and derogatory from the rights of the crown, they requested his permission to refer the question to a committee of four prelates, four earls, and four barons. The report of the committee was unanimously approved, and an address was

Feb. 22.

Apr. 23.

Apr. 28.

Apr. 30.

May 3.

May 7.

* Ang. Sac. i 27—36. The king replied: but the violence of his answer proves that he could not refute the primate. See it in Rymer, 240. Ang. Sac. i. 36. And the whole correspondence in Hemingford, 326—352.

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voted to the king, in which it was stated as an undeniable principle that no peer could be arraigned, or brought to judgment, except in parliament, and by his peers. A doubt, they observed, had been raised, whether a peer, who had been employed in the great offices of the crown, might not, on account of his office, be called before some other court of justice: but it was their opinion that, even in such case, he ought not to be arraigned at the prosecution of the king, nor lose his temporalities, lands, tenements, goods, or chattels, nor be arrested, imprisoned, or outlawed, nor plead, nor receive judgment, except in full parliament, and before his peers*. The necessity of procuring a supply induced Edward to acquiesce: at the joint prayer of the lords and commons, he received Stratford into favour; and, when that prelate requested that he might be treated as a peer, and allowed to prove his innocence by a trial in parliament, he consented to his request, on condition that both houses should previously take the subject of supply into consideration. A committee of two prelates and four earls was appointed to receive the answers of the primate: but their decision was deferred till the next parliament†.

Such had been the urgency of the king's wants, as to admit of no delay; and the lords, clergy, and commons embraced the opportunity to require the redress of their respective grievances. All their petitions were cheerfully granted, embodied in the form of a statute, and published under the great seal: but Edward had previously signed a paper, in which he protested against them as injurious to the rights of his crown, and declared that what he had conceded through necessity,

* They admitted, however, that if a peer had been sheriff, or in the receipt of the king's monies, he ought to account for them at the exchequer in person or by attorney; and also that a peer, if he pleased, might plead before another court, but without prejudice to the rights of the peerage as far as regarded others, or himself on future occasions. Rot. Parl. ii 126, 127.

† Ibid. 127. 131. Stat. of Realm, i. 295. 7.

he would afterwards revoke at his own convenience. As soon as he had reaped the advantage of this dissimulation he was not ashamed to avow and defend it. In a circular letter to the sheriffs of the counties he stated that the obstinacy of the parliament had threatened the most serious evils; that it was his duty, in such circumstances, to dissemble; that he had pretended to assent to their petitions, while in reality he protested against them; and therefore he did now by his own authority, with the assent of his council, revoke and annul the late statute *. It was necessary that the other orders should acquiesce till the next parliament: but the convocation of the clergy had already been summoned, and to prevent it from employing the spiritual arms of censure and excommunication in defence of the clerical privileges, Edward wrote to the archbishop, forbidding him, under the severest penalties, to undertake the defence of the pretended statute, or to form any resolution in contempt of the royal authority †. Two years elapsed before he ventured to meet his parliament. He had then the address to prevail on both houses to consent to the repeal, on condition that the principal of their requests should be granted; and at the same time ordered the process against the primate "to be erased, and quashed, as contrary to reason and truth ‡.

Oct. 1.

The failure of the two last campaigns might have weaned Edward from his attachment to continental alliances. But he was destined to experience a more cruel mortification. The emperor, who had concluded

* Dissimulavimus sicut oportuit et dictum prætensum statutum sigillari permisimus illa vice. Rym. v. 282. The principal articles of this statute, concerned the privilege of the peerage mentioned above, a provision that the clergy should not be unduly interrupted in their courts by the civil officers, an order that all the great officers of the crown should be sworn to observe the magna charta, and that at the commencement of each parliament they should be suspended from the execution of their duties for a few days, during which interval they should answer all complaints against them before the house of lords. Rot. Parl. ii. 132, 133.

† Brad. iii. App. 83.

‡ Rot. Parl. ii. 139

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a peace with France, revoked his commission of imperial vicar *, and the princes of the empire declined to fight any longer under his banner. It is not improbable that in these circumstances the quarrel between the two crowns might have been accommodated, had not an event happened which promised to open to the king of England a road into the heart of France. John III., duke of Bretagne, had three brothers, Guy, Peter, and John earl of Montfort. Guy and Peter died before him; but Guy had left a daughter, Jane, who, since the duke had no children, was considered by her uncle and the states as apparent heir to the duchy, and as such had been married to Charles de Blois, nephew to the king of France †. But when John himself died, his brother Montfort claimed the succession, seized the treasures of the late duke, obtained possession of the principal fortresses, and crossing over to England, did homage, it was said, to Edward as king of France, and his sovereign ‡. The cause, however, was carried before the legitimate tribunal, the peers of France, and by them the dukedom was adjudged to Charles de Blois in right of his wife. The king of France immediately sent a strong force under his son and his nephew into Bretagne; the king of England armed in aid of his vassal. It is difficult to justify the conduct of Edward on this occasion; for, if he admitted the claim of Montfort to the exclusion of Jane, he ought also to have admitted Philip's right to the French crown to the exclusion of Isabella and her offspring. Philip was more consistent. For by the laws of the monarchy, though females could not inherit the throne, they could succeed to fiefs equally with males.

June 25.

April 30.

Sept. 7.

The war began to the advantage of Charles, who by treachery or surprise made himself master of Nantes, and got possession of the person of his rival. But the

* Rym. v. 262. 264. † D'Argentré, v. 1—6.

‡ Edward mentions nothing more than fœdus et amicitiæ firmitatem Rym. v. 280.

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interests of the Montforts were still supported by the Oct.
courage and perseverance of his wife, Jane, sister to the earl of Flanders. As soon as she heard of the captivity of her husband she presented her infant son to the citizens and garrison of Rennes, and exhorted them to defend the cause of the child, the only male issue, besides his father, of their ancient princes. Affected by her tears, beauty, and eloquence, and perhaps still more by the distribution of a liberal donative, they swore to live and die in her service: the rising enthusiasm diffused itself through the neighbouring cities, and the interests of Charles appeared to be rather prejudiced than advanced by the captivity of his competitor. During the winter Jane retired to the fortress of Hennebon, sent her son for greater security to England, and earnestly solicited succours from Edward. In the A. D.
spring Charles, with a numerous army, invested the 1342.
fortress, and the heroine, on horseback, and in ar- Mar.
mour, directed and encouraged the garrison. On one occasion during an assault she sallied out at the opposite gate, set the camp of the besiegers on fire, retired to the neighbouring castle of Aurai, and shortly after fought her way back into Hennebon. Still no succour arrived: the garrison was thinned by repeated assaults, and enfeebled by famine; and the bishop of Leon had already arranged the terms of the capitulation, when the countess from the highest turret of the castle espied a fleet in the horizon, and exclaimed, "The May.
"English! I see the English!" The garrison immediately ran to the ramparts: all thoughts of a surrender were banished; and sir Walter Manny, with a strong body of troops, who had been detained forty days by contrary winds, safely arrived in the harbour *.

The force under Manny raised the siege of Hennebon, July.
but was too weak to venture into the field. The countess sailed to England herself, returned with Robert of

* Froissart, c. 70, 71. 79.

Artois and a small force of archers and men at arms, and besieged and took the city of Vannes. Edward followed in autumn with twelve thousand men; but by attempting too much, effected nothing. He divided
Oct. 5. his forces into three divisions, with which at the same time he pretended to invest Rennes, Nantes, and Vannes, which had lately been retaken by Charles: but the arrival of the duke of Normandy, the eldest son of Philip, compelled him to concentrate and intrench his forces. The French did the same; and the two armies remained for several weeks during the depth of winter in the vicinity of each other*. At this juncture, to the equal satisfaction of both parties, two cardinals
A. D. 313. arrived, charged to mediate a peace by Clement VI., who had been lately raised to the chair of St. Peter.
Jan. 19. A truce was concluded for three years and eight months, during which a negotiation for peace should be opened before the pontiff, as a private individual, and the common friend of the two powers †. One of the conditions stipulated for the release of John de Montfort; but Philip evaded its execution, and to the complaint of the pontiff answered, that he kept him in prison not for any public, but for private and particular reasons.
A. D. 1345. At the end of three years he escaped from the Louvre
Feb. disguised as a merchant, arrived safely in England, did
May 20. homage to Edward as king of France, and returned to Bretagne to die in the castle of Hennebon. By his will
Sept 26. he appointed Edward guardian to his son ‡.

It was not long before the hope of an accommodation, which had been so fondly cherished by the pontiff, was entirely extinguished. Each party daily violated the armistice, and the negotiators, instead of settling the conditions of peace, were employed in discussing com-

* Avesb. 98 et seq. Robert died of his wounds. Rym. v. 349.

† Rym. v. 357. 366. The parliament assented that messengers should be sent to the pope, per monstrer et purposer devant le seint pier le pape, come devant meen amy, et noun pas come juge ne come compromessair, les droitz ñre Seign' le Roi sur ses chalenges. Rot. Parl. ii. 136.

‡ Id. v. 365. Knyght. 2585. D'Argentré, v. 109.

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plaints and recriminations. The two nations were exasperated by mutual injuries; and their sovereigns sought only a respite to breathe, that they might renew the contest. Preparations for war were made on both sides: Edward obtained grants of wool from his parliament: Philip established the gabelle, the monopoly of salt for the benefit of the crown, which was so long considered an intolerable grievance by the French. These modes of raising money afforded them opportunities of exercising their wit. The king of England declared that his adversary now reigned by *salic* law; and the king of France retorted by denominating Edward "the "wool-merchant*."

At length the English parliament recommended the renewal of hostilities †, and an army proceeded to Guienne under the command of the king's cousin, the earl of Derby, who was reputed the most accomplished nobleman, as well as one of the bravest warriors of the age. He landed at Bayonne, marched to Bordeaux, and soon recovered the greater part of the places which had been conquered by the enemy. The most splendid action in the campaign was fought under the walls of Auberoche. The count of Lisle, the French commander, had ordered twelve thousand men to assemble secretly in the neighbourhood, and immediately invested the place. With four engines they threw showers of stones within the walls, and forced the garrison to take shelter under the ground. The earl of Derby, with three hundred men at arms, and six hundred archers, advanced through bye-ways to their relief: at supper time they burst into the French camp: the general and principal officers were killed or taken at table, and the

June 6.

Oct. 23.

* Contin. Nangii ad ann. 1343. Mezerai, 155.

† Rot. Parl. ii. 147. They begged the king not to suffer himself to be deceived, but to finish the war in a short time, either by battle or treaty, p. 148. 152. The "great men" undertook to pass the sea and adventure with him, the clergy granted him the tenth of their benefices for three years, and the commons two tenths of cities and boroughs, and two fifteenths of the commonalty. Stat. of Realm, i. 300. 2.

archers with their arrows instantly dispersed every small body of the enemy as soon as it was formed. But the intelligence had now reached the other half of the besieging army, which lay on the opposite side of the place, and the conquerors had still to contend against an enemy six times their number. The victory was secured by the garrison from the castle, who in the heat of the contest charged the rear of the French. Of the whole twelve thousand men, very few escaped. Nine earls and viscounts were made prisoners: nor was there a man at arms among the English, who did not return with two or three barons, knights, or esquires, as his share of the captives *.

The earl of Derby, having obtained a reinforcement from England, pursued his victorious career, while Edward sailed to Sluys to meet the deputies of the cities of Flanders. His object was to persuade the natives to withdraw their allegiance from earl Louis, their sovereign, and to transfer it to his son, prince Edward. The majority of the deputies openly testified their disapprobation of the proposal. Artaveldt not only spoke in its favour, but engaged to procure its adoption by the principal cities. At Bruges and Ypres he was successful; but at Ghent his enemies had previously exasperated the inhabitants against him: he met with no civilities on his way through the streets; and had no sooner entered his house than it was surrounded by an enraged populace, demanding his head. The doors were forced: Artaveldt was murdered; and Edward, deprived of his chief support, returned to England. Hither the Flemish deputies followed him, and consoled him for the loss of his demagogue, by engaging never to obey their earl till he should swear fealty to the king of England. Louis lived at Ruremond, despoiled of the greatest part of his territory: but he remained faithful to Philip, declaring that his conscience would never permit him to acknowledge

June 24.

July 17.

July 26.

Sept. 30.

* Froiss. c. 105, 106. Villani, ann. 1345.

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Edward for the king, till he should see him in possession of the crown of France *.

The uninterrupted success of the earl of Derby had proved how much might be effected by English valour, when its exertions were not checked by the councils of interested allies; and Edward having collected a numerous force, consisting solely of his own subjects, sailed from Southampton, with the intention, as he gave out, of invading the southern provinces of France. But whether it were that he sought to deceive the enemy, or that during the voyage he was dissuaded by Geoffrey de Harcourt, a French refugee, he suddenly altered his course, and anchored in the road of La Hogue, on the coast of Normandy. The province was defenceless: while the fleet burnt all the vessels in the different harbours, the army in three divisions pillaged the country, set fire to the villages, and collected prisoners; Carentan, St. Lo, and Caen, a large and populous city, were taken; and the spoil, with the constable of France, sixty knights, and three hundred of the wealthiest citizens, was sent to the fleet and conveyed to England †. Edward's object seems to have been to draw from Guienne the French army of one hundred thousand men, which had entered that province, to cross the Seine, march through Picardy into Artois, join his Flemish auxiliaries, who, to the number of forty thousand, had passed the French frontiers, and then lay siege to the important town of Calais. But on his arrival at Rouen he found the bridge over the Seine broken down, and Philip with a numerous force on the opposite bank. From this moment it became a contest of skill between the two monarchs. The king of England was impatient to pass the river, and bring his adversary to battle before he could be joined by his reinforcements: the king of France sought to confine the English to the left bank of the Seine till he

A. D. 1346. July 12. July 18. July 26.

* Froiss. c. 114.
† Froiss 155. c. 120—122, and the official account in Avesbury, 123.

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could overwhelm them with the superiority of his force.
Aug. 13. Edward proceeded along the river, burning the villages, and plundering the towns of Vernon, Mantes, and Poissy; but not a bridge had been left standing, and all his motions were followed and watched by the enemy from the opposite bank. It was in vain that he sent his light troops to insult the fauxbourgs of Paris; that he reduced to ashes St. Germain, St. Cloud, and Bourg la Reine; and that some adventurers passed the river in boats, and set fire to Neuilly and Boulogne. Philip was not to be diverted from his purpose by the bravadoes of his enemy, or the murmurs of the Parisians. From this situation, which daily became more dangerous, the English were delivered by a successful stratagem. Decamping early in the morning from Poissy, they advanced with expedition towards the capital: but as soon
Aug. 17. as it was ascertained that the French army was in full march for the same city, they rapidly retraced their steps, cleared the opposite bank with the aid of the archers, crossed by the bridge which the workmen had repaired, and took possession of Pontoise. Chagrined at the success of this manœuvre, and elated by the number of troops that had crowded to his standard at St. Denis, Philip challenged the king of England to fight him on the plain of Vaugirard, or between Pontoise and Franconville. Edward replied thet he should always be found ready for battle; but that, as he was in his own dominions, he would not allow any other person to dictate to him either the place or the day *. He continued his march, burnt, as he passed, the suburbs of Beauvais, plundered the town of Pois, and fixed his head-quarters at Airaines. Anxious to cross the Somme, he despatched two marshals, with three thousand men, to discover or force a passage. They successively attempted the bridges of Pont de Remi, Long, and Pecquigny; but were foiled in each place, and returned with the disheartening news

* Heming. 385, 386.

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to the army. On the same day Philip had fixed his head-quarters at Amiens. The next morning Edward quitted Arraines. In two hours it was occupied by the enemy. He attempted to surprise Abbeville, but was defeated by the vigilance of the townsmen. In the evening he had the good fortune to carry Visement by assault, which offered to him the prospect of a lodging for the night; but what course was he to take in the morning? A number of country-men were brought before him; he tempted them with promises and threats; at last a peasant owned that he was acquainted with the ford of Blanchetaque, near the mouth of the river, and offered for an adequate reward to lead them to the place. The army marched at midnight; but on their arrival at the ford the tide had not began to ebb, and at sunrise they beheld the opposite bank lined with twelve thousand men, under the command of Godemar du Fay. In this distressing situation they waited for some hours, expecting every moment the arrival of their pursuers. About ten o'clock it was reported that the tide was out. Edward gave the word of command in the name of God and St. George; and the men at arms plunged into the river. About the middle they were met by the French cavalry: but the English fought with the courage of despair, and the enemy were routed, with the loss of two thousand men. Philip at his arrival found only a few stragglers on the left bank. The rising of the tide compelled him to relinquish the pursuit, and lead back his army to Abbeville: the English took possession of Crotoi, and found in the port several vessels laden with the wines of Poitou and Saintonge*.

Hitherto the king had retired rapidly before his pursuers, now he halted to await their arrival. With his motives we are not acquainted; but he must have had some powerful inducement to hazard an engagement with such a disparity of force. To his attendants he merely said, "we will go "no further. I am now on the lawful inheritance of my "lady mother (the county of Ponthieu), and it is my duty "to defend it against my adversary." Of his Flemish al-

* Frois. c. 123—125. Kny. 2587, and the official account in Aves. 136, 137.

lies we have no intelligence. They had entered the French territories three weeks before, and probably had returned, or taken a different direction.

Aug. 25. Philip loitered a day at Abbeville, that he might increase his immense force by the addition of a few thousands. To Edward, who had to fight for his liberty and life, the delay was most valuable, as it allowed him to refresh his men after their fatigue, to arrange his plans, and to make the necessary preparations for battle. The spot on which he had determined to receive the enemy was the high ground beyond Creci, lying between the river Maye on the right, and Wadicourt on the left. In the evening he invited his barons to supper, entertained them with cheerfulness, and dismissed them with a promise of victory. When they were gone, he entered his oratory, threw himself on his knees before the altar, and prayed that God would preserve his honour. It was midnight when he retired to his bed: he slept little, and at the dawn of the morning assisted at mass and received the communion with his son, the young prince of Wales, who had just reached his fifteenth year.

Aug. 26. As soon as the troops had breakfasted, the marshals issued their orders, and each lord, under his own banner and pennon, marched to the ground which had been allotted to him on the preceding day. All were dismounted, to take away the temptation of pursuit or flight. The first division, under the nominal command of the prince, the real command of the earls of Warwick and Oxford, consisted of eight hundred men at arms, a thousand Welsh infantry, and two thousand archers. At some distance behind them, but rather on their flank, was placed the second division of eight hundred men at arms, and twelve hundred archers. The third, under the command of the king, comprised seven hundred men at arms and two thousand archers, and was stationed as a reserve on the summit of the hill*. The archers of each division formed in its front, in the shape of a portcullis; and orders were issued that no man should in-

* These are the numbers in Froissart. They are evidently too low, or those of the French army too high.

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cumber himself with the charge of a prisoner, or quit his post to pursue a fugitive. Edward, on a small palfrey, with a marshal on each side, rode from company to company, speaking to all, exhorting them to defend his honour, and expressing his confidence of victory. About ten o'clock he ordered them to take refreshment. They sate in ranks on the ground, with their bows and helmets before them.

The king of France had marched from Abbeville about sunrise; but the multitude of his followers advanced in so disorderly a manner, that the knights who had reconnoitred the English army advised him to postpone the battle till the morrow, and employ the interval in marshalling his army. Two officers were immediately despatched, one to the van, the other to the rear, crying out, "Halt, banners, in the name of God and St. Denis." But these orders increased the confusion. By some they were obeyed, by many misunderstood, and by the greater part disregarded. Philip suffered himself to be carried forward by the stream; and, as soon as he saw the English, he lost his temper, and ordered the Genoese to form, and begin the battle.

The Genoese were a body of six, or according to some writers, fifteen thousand Italians, who fought with crossbows under two celebrated leaders, Antonio Doria and Carlo Grimaldi. They were supported by the king's brother, the count d'Alençon, with a numerous cavalry superbly accoutred. The king himself followed with the rest of the army in four divisions: the amount of the combatants has been estimated by different writers at every intermediate number between sixty and one hundred and twenty thousand men.

Never perhaps were preparations for battle made under circumstances so truly awful. On that very day the sun suffered a partial eclipse; birds in clouds, the precursors of a storm, flew screaming over the two armies; and the rain fell in torrents, accompanied with incessant thunder and lightning. About five in the afternoon the weather cleared up, and the sun in full splendour darted his rays in the eyes of the enemy. The Genoese, setting up three shouts, discharged their quarrels. But they were no match for the

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English archers, who received the volley in silence, and returned their arrows in such numbers, and with such force, that the cross-bowmen began to waver. The count d'Alençon, calling them cowards, ordered his men to cut down the runaways; but he only added to the disorder. Many of his knights were unhorsed by the archers, and as they lay on the ground were despatched by the Welshmen, who had armed themselves with long knives for the purpose.

At length the passage was cleared: the count on one side, and his colleague the earl of Flanders on the other, skirted the English archers, while a numerous body of French, Germans, and Savoyards, forced their way to the men at arms under the command of the prince. The second division immediately closed for his support: but the conflict grew fierce and doubtful, and sir Thomas Norwich was sent to request a reinforcement. Edward, who from a windmill watched the chances of the battle, and the movements of the armies, inquired if his son were killed or wounded. The messenger replied, "No."—"Then," said he, "tell Warwick that he "shall have no assistance. Let the boy win his spurs. He "and those who have him in charge shall earn the whole "glory of the day." This answer was hailed as a prediction of victory, and infused new courage into the combatants.

D'Alençon, unable to make any impression on the English in his front, attempted to turn their position by penetrating through a narrow pass on one side of the hill: but he found the outlet barricaded with carts and waggons from the camp, and was repulsed with great slaughter by a body of archers posted behind them. In the mean time Philip, who had hitherto been only a spectator of the action, grew impatient; he hastened with his force to the aid of his brother; and fought as if it had been his object to refute the taunt of cowardice so often applied to him by Edward. He was wounded in two places; his horse was killed under him; he retired till the blood was stanched, and then mounting another charger, rushed into the midst of the combatants. But the day was already lost: his brother, with the flower of the French chivalry, had fallen; and John

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of Hainault, seizing the king's bridle, and bidding him reserve himself for victory on some future occasion, led him by force out of the field. With a slender escort of five barons and sixty knights he escaped to the city of Amiens *.

The flight of Philip did not terminate the contest. Many of the French continued in detached bodies to charge their adversaries; but as their efforts were made without concert, they generally ended in the destruction of the assailants. As the darkness increased the fighting gradually ceased; the voices of men, seeking the banners from which they had wandered, were no longer heard; and the English congratulated themselves on the repulse of the enemy. The king, ignorant of the extent of his victory, ordered fires to be kindled, and forbade his men to quit their posts. Eager to testify his approbation of the prince, he sprang to meet him, and clasping him in his arms exclaimed, "Fair son, continue your career. You have behaved "nobly. You have shown yourself worthy of me and the "crown!" The young Edward sank on his knees, and modestly attributed all the merit to his father.

The darkness of the night was succeeded by a dense mist in the morning, which equally intercepted the view, and to gain information the king sent out before sunrise a detachment of three thousand men. They soon found themselves in the midst of a body of militia from Beauvais and Amiens, which, ignorant of the preceding events, had marched all night to overtake the army. These men, unsuspicious of danger, and unprepared for battle, were massacred almost without resistance. A similar mistake proved equally fatal to the archbishop of Rouen, and the grand prior of France, with a numerous body of knights. As the day cleared, thousands of Frenchmen were discovered in the fields, who had passed the

Aug 27.

* The elder Villani tells us that the English made use of artillery in this battle; "of bombards, which by means of fire shot small balls of iron with "a report like the thunder of God, causing the slaughter of the men, and "the overthrow of the horses." (xii. 67.) Nor do I see anything improbable in his statement. It was now some years since heavy cannon had been employed to discharge large balls of stone, at sieges; and one of the first improvements would very likely be the construction of smaller pieces to be used in the field. Villani died in the next year after this battle.

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night under the trees and hedges, in the hope of finding their lords in the morning. These too were put to the sword by the English cavalry: so that the carnage of the second is asserted to have exceeded that of the former day.

At noon the king ordered the lords Cobham and Stafford to examine the field of battle. They took with them three heralds, to ascertain from the surcoats of the knights, and two secretaries to record, the names and rank of those who had fallen. In the evening they presented to the king eighty banners, with a catalogue of eleven princes and twelve hundred knights. The slain of inferior note were not numbered. Report made them amount to thirty thousand. A truce of three days was proclaimed for the burial of the dead; and the king himself attended in mourning at the funeral service.

Among the slain the most distinguished was John king of Bohemia †. Age had not chilled in him the fire of youth: though blind, he placed himself in the first division of the French; and as the issue grew dubious, ordered the four knights, his attendants, to lead him into the hottest of the battle, "that I too," said he, "may "have a stroke at the English." Placing him in the midst of them, and interlacing their bridles, they spurred forward their horses, and were almost immediately slain. The reader will probably consider the Bohemian monarch as foolishly prodigal of his life: by the writers of the age his conduct has been extolled as an instance of unparalleled heroism. His crest, three ostrich feathers, with the motto "Ich dien," I serve, was adopted by the prince of Wales, and has been always borne by his successors.

The conquerors beheld with astonishment the result

* For the most interesting detail of this battle we are indebted to Froissart, c. 126—130. Every other writer of the age mentions it, but less in detail.

† Several historians have killed James king of Majorca at Crecy. It is probable that he was not present: it is certain that he did not die till three years later.

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of this bloody and decisive battle. They did not attribute it to their own courage or the imprudence of the enemy, but to the protection of the Almighty, who had thus pronounced judgment in favour of their sovereign; and the thanksgivings which were offered up in the camp were quickly repeated in every town and village in England. The two kings immediately applied themselves Edward to improve the advantages of victory, Philip to avert the consequences of defeat. The former, that he might secure to himself a convenient harbour on the French coast, undertook to reduce the port of Calais; and, foreseeing a long and obstinate resistance, ordered huts to be built for the accommodation of the army during the winter. The latter despatched a messenger with presents to the king of Scotland, exhorting him to seize the opportunity of Edward's absence, and by the invasion of England to avenge his own wrongs, and afford assistance to his ally. Four years had elapsed since David, at the request of the people, had returned with his queen to his native country. His valour and accomplishments had won their esteem, and three successful incursions into the northern counties had gratified their revenge with the plunder of their enemies. The eagerness of the king wanted no additional stimulus: he had long menaced the English frontier; and six days before the battle of Creci, Lionel, the second son of Edward, and guardian of the kingdom, had ordered levies to be made to watch and oppose the motions of "the "Scottish insurgents." From Perth David marched with three thousand men at arms, and about thirty thousand others mounted on galloways. All were confident of success, at a time when the whole chivalry of England was lying before the walls of Calais, or fighting in the south of France. He entered Cumberland, took, after a siege of six days, the "pyle of Liddel," and immediately beheaded the governor, plundered the abbey of Lanercost, and directed his march by Hexham into the

Sept. 3.

Aug. 20.

Oct. 2.

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bishopric of Durham. While he lay at Beaurepaire *,
Oct. 16. a country-house belonging to the monks, the English army assembled without his knowledge in Auckland park. It amounted to twelve hundred men at arms, three thousand archers, and a body of seven thousand infantry, composed of clergymen, of the militia of the neighbourhood, and of a small band of Welshmen. Queen Philippa, if we may believe the improbable testimony of Froissart, emulating the example of the countess of Montfort, rode among them, and addressed them in kind and animating language, bidding them protect their country from ravage, and the honour of their sovereign from insult. They answered with shouts of applause: she recommended them to God and St. George, and retired to a place of safety †.

Oct. 17. Douglas, the celebrated knight of Liddlesdale, had that morning conducted a party of plunderers to Ferryhill. On his return he was intercepted by the English army at Sunderland bridge, and was fortunate to escape with the loss of five hundred men. On his report David marshalled his army on the moor: the English already stood in array on an eminence near Nevil's Cross. The Scottish cavalry, entangled among the hedges, were exposed to the unerring aim of the archers; and the most distinguished knights were successively unhorsed or slain. After a sharp contest the earl of Moray fell, and the wing which he commanded was dispersed. In the other wing the Stewart maintained but a faint and wavering resistance; in the centre the king saw with dismay the bravest of his knights falling around him. But his pride disdained to flee, or surrender, and his nobles, forming a circle for his protection, prolonged the fight till two wounds which he received brought him to the ground. Coupland, a Northumbrian gentleman, instantly sprang from his charger to seize the royal prey. A violent struggle ensued. Coupland lost two of

* It is now called Bearpark. † Froiss. c. 136.

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his teeth; but he secured the king, and with the assistance of eight friends carried him safely through the crowd, and rode with him to his castle of Ogle. The Scots made no longer any resistance; and the Stewart, collecting the fugitives, conducted them to their own country *.

It is singular that on this memorable day the English fought without any commander-in-chief. The archbishop of York, and the lords Henry Percy, and Ralf Nevil, had been appointed arrayers of the northern forces: but in the battle they seem to have possessed equal command, and to have assumed no authority over the other chieftains †. The Scots left many thousand men on the field, and among them several noblemen of the highest distinction. The list of prisoners exhibits, in addition to the king, the names of three earls, and forty-nine barons and knights. The earl of Monteith, who had been sworn of Edward's privy council, and the earl of Fife, who had done homage to Baliol, were condemned as traitors ‡. The latter owed his life to his relationship to the royal family; the former suffered the punishment of the law. David was reluctantly delivered by Coupland to the sheriff, and conducted in great state to the Tower of London. The captor was knighted, and rewarded with the grant of an ample estate in land §.

When Edward so suddenly changed his course from Bordeaux to La Hogue, he left the gallant earl of

* Ford. xiv. 2, 3. Froissart, 135, 136. Heming. 381. Knyght. 2590—2592.

† Rym. 524. In the letter of thanks issued by prince Lionel, the earl of Angus, and several others, are mentioned with equal commendation. Rym. 528.

‡ They were condemned by the king in council at Calais on the notoriety of the fact. No trial was granted them: and the sole office of the judges was to proceed to the Tower and pronounce the sentence, such as it had been sent to them by the king. Rym. v. 549, 550. Rot. Scot. i. 687—9. Fife's mother was niece to Edward I.

§ He was made a banneret, with an income of five hundred pounds a year. Rym. v. 542. The same day the king at Calais granted to him, Robert Bertram, and William Silvertop the elder, a general pardon for all former transgressions, on account of their "good services" in the battle of Nevil's Cross. Rym. v. 543. Coupland was afterwards murdered. Rym. vi. 494.

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Derby to struggle in the defence of Guienne against the powerful army commanded by John duke of Normandy, eldest son to the French monarch. The earl wisely refused to meet his adversary in the field, and the duke marched from Toulouse with 50,000 foot, 6000 horse, and a long train of military engines. Few places dared to oppose so overwhelming a force: nor was the progress of the torrent checked till it reached the walls of Aiguillon. From May till the end of August John beleaguered that fortress. He repeatedly employed every resource, which ingenuity could discover, or force could supply; the army, in four divisions, which relieved each other every three hours, continued the assault for six successive days; towers were erected, engines were discharged, and the houses within the walls were demolished by incessant showers of stones. But sir Walter Manny and his brave garrison could neither be worn out with fatigue, nor be intimidated by numbers. They repelled the assailants; they burnt the engines; and by frequent sallies they inflicted serious injuries on the besiegers. The duke, unable to succeed by force, attempted to starve the garrison into a surrender. He swore that he would never quit the place till it was in his possession; and to the remonstrances of his officers replied, that he could not in honour violate his oath. After all, it was the victory of Creci that saved Aiguillon: Philip required the presence of his son, and the
Aug. 23. aid of his army. No sooner was he gone than the earl of Derby issued from Bordeaux, crossed the Garonne, laid waste the Agenois, Saintonge, and Poitou, and carried by storm the rich and populous city of Poitiers.
Oct. 4. When he had revenged on these provinces the devastations which the enemy had committed in Guienne, he led back his troops loaden with plunder into their winter quarters*.

Edward was now engaged in the siege of Calais, a

* Froissart, c. 117, 118, 119. 132. Villani, ann. 1346. Avesb. 142—144.

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siege which formed a new era in the military history of the age. Contrary to all precedent, not an assault was given, not a single engine was erected against the place. Instead of force, the king relied on the slower but less fallible operation of famine. A numerous fleet blockaded the harbour; and all communication with the interior was intercepted by the lines of the besiegers. John de Vienne the governor saw with dismay a town of huts rise around him: he penetrated into the design of the king, and after a strict inquiry turned out of the town every individual, who did not possess a sufficient supply of provisions for several months. Men, women, and children, to the number of seventeen hundred persons, advanced in mournful procession to the English camp. Edward ordered them to be received, gave them a plentiful repast, and at their departure distributed to each two pieces of silver *. But the garrison began to feel the privations of scarcity, while the besiegers were twice in the week plentifully supplied from Flanders and England: a new inquiry was made, and five hundred more of the inhabitants were driven without the gates. If Vienne relied a second time on the humanity of Edward, he was disappointed. The English lines were shut against them, and the unfortunate sufferers, without covering or provisions, perished miserably between the walls and the camp. Philip did not neglect the means in his power to relieve so important a fortress. During the winter two fleets with men and supplies attempted to enter the port. One succeeded, but the other was captured. In spring he ordered all his vassals to meet him on Whitsunday, and, taking with him the ori-flamme, the sacred standard of France, encamped at Wissant, with a hundred and fifty thousand men †.

Sep. 13.

A.D. 1347. July 27.

* Froissart, c. 131.

† A messenger by sea was taken carrying a letter to Philip from the garrison, declaring that they had eaten their horses, their dogs, and all the other animals they could procure, and that nothing remained for them but to eat each other. They assured him that if he did not relieve them soon, they had resolved to attack the enemy, and die with honour in the field,

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There were but two roads by which it was possible to approach the English, along the beach, or over the marshes by the bridge of Nieulay. The former was lined with ships, on board of which had been stationed several thousand archers: the bridge was strongly fortified, and intrusted to the care of the earl of Derby. To attempt either would probably have been attended with the destruction of the assailants. Proposals of peace were made and refused on any other condition than the immediate possession of Calais. Philip had recourse to the expedient of challenging Edward to a general
July 31. battle *. The king's pride silenced his prudence: he accepted the challenge; but the French monarch, taught by the defeat which he had suffered at Creci,
Aug. 2. retired on the eve of the day which had been appointed. The moment he was gone the arms of England, quar-
Aug. 3. tering the lilies with the lions, were seen to wave on the castle †. It was, however, in vain that the governor solicited terms of capitulation. Edward insisted that he should surrender at discretion; and the inhabitants, who knew that the king had expressed a resolution to punish their habits of piracy, and that his former enmity had been embittered by the obstinacy of their resistance, received the answer with feelings of despair. They met in the market-place to consult; and the common gloom was dispelled by the generous devotedness of Eustace de St. Pierre, who offered to stake his life for the safety of his fellow-townsmen. Five others imitated his example, and the procession walked from the gate to the
Aug. 4. English camp. It was headed by Vienne, riding on a

rather than perish with hunger in the town; and ended with a wish that God might give him grace to make to them and their heirs a return for what they suffered in his service. This letter, which is preserved by Avesbury and Knyghton, was forwarded by Edward. Knyght. 2593. Avesb. 157.

* Froissart gives us a very interesting dialogue between Edward and the bearers of the challenge (c. 143). It is probably a fiction. The historian tells us that the king refused, the king himself, that he accepted the challenge. Avesb. 165.

† Knyght. 2594. Avesb. 163—166.

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palfrey, on account of his wounds: fifteen knights followed with their heads bare, and their swords pointed to the ground; and then came the six townsmen barefoot, and bareheaded, with halters in their hands. By Edward they were received with an air of severity. The governor presented to him his sword, and the keys of the town; and joining his companions in misfortune, implored on his knees the mercy of the conqueror. The king affected to be inexorable, rejected the intercession of his barons, sent for the executioner, and, if he at last yielded, it was with apparent reluctance to the tears and entreaties of his queen Philippa. The prisoners were left to the disposal of their fair advocate, who clothed them, invited them to a plentiful repast, and at their departure made to each a present of six nobles *. Thus was Calais severed from the French crown after a siege of twelve months. To secure his conquest, Edward expelled the natives who refused to swear fealty to the king of England †, and repeopled the town with a colony of his own subjects. It rapidly became a place of considerable opulence: it was appointed the general mart for the sale of merchandise exported from England ‡; and it continued to flourish for more than two centuries under the protection of its conqueror and his successors.

* Froissart (c. 144) has dramatised this incident with considerable effect, but I fear with little attention to truth. From his narrative I have selected the circumstances which seem to harmonise best with the statements of other writers, who merely inform us that on this, the same happened as on most similar occasions, that is, a deputation of knights and citizens in the guise of criminals, implored and obtained the king's mercy. I may, however, observe that even in Froissart there is nothing to prove that Edward designed to put these men to death: on the contrary, he takes notice that the king's refusal of mercy was accompanied with a wink to his attendants, which, if it meant anything, must have meant that he was not acting seriously.

† Philip was careful to provide for the exiles, and gave to them in preference to others the vacant offices in his dominions. Spondan. 488.

‡ Rym. v. 618. Among those who swore fealty to Edward was the very Eustace de St. Pierre, whose character Froissart has so much embellished. The king gave him most of his former property, and additional lands; and he on his part undertook to maintain by his influence peace among the native population. At his death in 1351 these donations reverted to the crown, because his heirs refused to acknowledge Edward for their sovereign. See Brequigny, Mem. de l'Acad. xxxvii. 537.

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Writers have not always sufficiently appreciated the benefits which mankind derived from the pacific influence of the Roman pontiffs. In an age which valued no merit but that of arms, Europe would have been plunged in perpetual war had not pope after pope laboured incessantly for the preservation, or restoration of peace. They rebuked the passions, and checked the extravagant pretensions, of sovereigns; their character, as the common fathers of Christians, gave to their representations a weight, which no other mediator could claim; and their legates spared neither journey nor fatigue to reconcile the jarring interests of courts, and interpose the olive of peace between the swords of contending armies. As soon as the war recommenced between Edward and Philip, Clement had resumed his pacific endeavours: for two years he ceased not to entreat, to admonish, to reprehend; the violence and obstinacy of his belligerent children did not exhaust his patience; and as soon as the French army had reached Whitsand, the cardinals of Naples and Clermont offered their services to prevent the effusion of blood. But Philip refused to deliver up a town which had so long set at defiance the power of his adversary, and Edward would not forego the expected reward of his perseverance in so tedious a siege. When Calais had fallen
Sept. the legates renewed their offer: each king was now will-
28. ing to admit of a temporary respite; and an armistice, which was concluded for a few months, was, at the repeated instances of the holy see, gradually prolonged for six years *. It was a breathing time necessary to the king of France, that he might restore his finances and the spirit of his people: it was welcome to the king of England, who could now repose with satisfaction under the laurels which he had gained. The victories of Creci and Nevil's Cross had stamped the reputation of the English, and raised their sovereign to the first

* Rym. v. 588. N. Rym. iii. 100.

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rank among the princes of Europe; two of the chief of his opponents, David king of Scots, and Charles de Blois duke of Bretagne *, were his prisoners; and not only had he preserved his former possessions, but had even added to them the town and harbour of Calais, an important station for his navy, and a convenient opening into the territory of his rival.

During the armistice Edward did not hesitate to embrace two opportunities of displaying that personal courage which was the first requisite in the character of a true knight. Amerigo di Pavia, though an Italian, held a distinguished place in the king's esteem, who had intrusted him not only with the command of his fleet, but with the custody of his late conquest, the town of Calais. Sir Geoffrey de Chargny the French governor of St. Omer, tempted the fidelity of Amerigo with the offer of twenty thousand crowns. The proposal was accepted by the Italian, not with the intention of betraying his trust, but of punishing the man who sought to stain his honour; and it was mutually agreed that, on the payment of the money, a French force should be privately introduced into the castle on the last night of the year. Edward, who was in the secret, arrived, and landed in the dark with three hundred men at arms and six hundred archers: at the appointed hour a messenger from the governor of St. Omer was admitted, and paid down the money, and at midnight twelve French knights and one hundred men at arms were introduced by a postern into the area of the castle. They were immediately surrounded and secured; and the English under sir Walter Manny assailed Chargny, who had halted near the gate of Boulogne. The Frenchman made a gallant but useless resistance: the guard which he had placed at the bridge of Nieulay was overpowered, and, as the means of retreat were cut off, he surrendered

A. D. 1348. Dec. 31.

* He had been surprised in his tent at the siege of La Roche d'Errien. But the war was continued in Bretagne by the two ladies, his wife, and the widow of John of Montfort. Froiss. c. 141.

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with all his companions. Edward in this affray had fought on foot as a private knight under the banner of Manny, and had nearly paid the forfeit of his temerity. He singled out for his antagonist sir Eustace de Ribeaumont, a warrior of distinguished valour: twice he received a stroke on his helmet which brought him on his knees; but he recovered himself with the aid of his shield, and ultimately became master of his adversary.

A. D. 1349. Jan. 1. It was not till the prisoners had been brought into the castle that the king discovered himself. He invited them to join him at supper, when the prince of Wales and the English knights waited on their guests; and after supper, rising from the table, he took from his head a chaplet of pearls, placed it on the temples of Ribeaumont, and accompanied the present with a high encomium on his merit. "To you, sir knight," said the king, "I "adjudge the prize of valour in the action of this morn-"ing, and pray you to wear my chaplet during the year "for my sake. Wherever you go, tell the ladies that it "was given by the king of England to the bravest of "knights." Ribeaumont was immediately released: Chargny and his companions paid proportionate ransoms for their freedom *.

A. D. 1350. There was another occasion, in which the chivalry of Edward exposed his life to greater danger without any better motive for his temerity. The Spanish ports in the bay of Biscay were inhabited by a race of hardy and adventurous seamen, famed for nautical skill and commercial enterprise, and at all times eager to display their hostility to the English mariners, their principal competitors on the ocean. The ships from these ports had formed a large fleet for their common protection, and had sailed up the channel to the harbour of Sluys under the command of don Carlos de la Cerda.

* Compare Froissart, c. 148, 149, with Avesbury, 180. Chargny learning afterwards that the Italian lived without any guard in his castle of Fretun, which Edward had given him, surprised him one morning, carried him to St. Omer, and put him to death in the market-place. Johnes' Froissart, 262.

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Their chief object was to trade with the mercantile cities of Flanders; but on their passage they had committed many acts of piracy; and when they were threatened with reprisals, boldly claimed the dominion of the seas, and defied the vengeance of those whom they had injured. De la Cerda, however, aware of the probable consequences, had the prudence to furnish his vessels with warlike stores, and by considerable offers allured on board a number of military adventurers. Edward determined to chastise the insolence of the Spaniards; and unwilling to yield the glory to his captains, took upon himself the command of the fleet *. With fifty sail (but the English vessels in point of tonnage and equipment were far inferior to those of the Spaniards) he cruised for three days between Dover and Calais. He sate on the forecastle dressed in a jacket of black velvet, and amused himself with his minstrels, till the appearance of the enemy was announced to him from the head of the mast. Immediately the trumpets sounded; the line was formed; and the king and his knights, having drunk a draught of wine, put on their armour. The Spaniards with the wind in their favour might have declined an engagement: but they disdained to alter their course, and bore down on their opponents. The battle was obstinate and doubtful. Edward compelled the master to lay his ship in the way of a vessel in full sail. The concussion opened several leaks; nor was the crew able to bail out the water as rapidly as it entered. The danger was not perceived by the king, whose mind was intent on the battle only; but his attendants, to save their lives, by a bold and desperate effort boarded and captured their adversary. The prince of Wales found himself in a still more dangerous condition. His vessel was on the point of sinking, when the earl of Derby, lately created duke of Lancaster, came to his assistance, and saved him from the waves.

Aug. 29.

* Rym. v 679.

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In the evening fourteen of the Spanish ships had been captured: but the advantage had been dearly purchased with the loss of many knights of distinction, and of several vessels. Edward landed in triumph at Winchelsea, and was received with joy by the queen, whose servants from the heights had watched the commencement and progress of the battle*. The men of Biscay were not dismayed by their loss: but it was soon discovered that the quarrel was equally detrimental to the interests of each party; and a truce for twenty years was concluded at London between the king of England and the "maritime cities of the lordship of the king of Castile †."

A. D. 1351. Aug. 1.

The victories, which had conferred so much honour on Edward, had been purchased, it was said, with the blood of fifty thousand Englishmen: but the memory of this loss was almost obliterated by the calamity which shortly afterwards visited the island, a pestilence as general and destructive as any recorded in history. We first discover it in the empire of Cathai: thence we may trace its progress through different provinces of Asia to the Delta and the banks of the Nile: a south wind transported it into Greece and the Grecian islands; from which it swept the coasts of the Mediterranean, depopulated Italy, and crossed the barrier of the Alps into France. A succession of earthquakes, which shook the continent of Europe from Calabria to the north of Poland, ushered in the fatal year 1348; and though England escaped this calamity, it was deluged from the month of June to December with almost incessant torrents of rain. In the first week of August the plague made its appearance in Dorsetshire; in November it reached London, and thence gradually proceeded towards the north of the island. Of its victims many expired in the course of six hours, and few lingered more than two or three days. From man the exterminating

A. D. 1348.

* Johnes, Froissart, 252—261. Wals. 162. † Rym. v. 717.

malady spread itself to the brute creation: the carcasses of sheep, horses, and oxen, lay scattered on the fields; they were untouched by birds of prey; and their putrefaction aided the malignity of the disorder. The labours of husbandry were neglected; no courts of justice were opened; the parliament was repeatedly prorogued by proclamation; and men, intent only on their own safety, fled from the care of the infected, and slighted every call of honour, duty, and humanity. When historians tell us that one half or one third of the human race perished, we may suspect them of exaggeration: but it is easy to form some idea of the mortality from the fact, that all the cemeteries in London were soon filled; that sir Walter Manny purchased for a public burial-place a field of thirteen acres, where the charter-house now stands; and that the bodies deposited in it during several weeks amounted to the daily average of two hundred. It was observed, that though the malady assailed the English in Ireland, it spared the natives. The Scots too were exempt for several months; and the circumstance afforded them a subject of triumph over their enemies, and introduced among them a popular oath, "by the foul dethe of the English." They had even assembled an army to invade the neighbouring counties, when the contagion insinuated itself into their camp in the forest of Selkirk: five thousand men died before they disbanded their forces; and the fugitives carried with them the infection into the most distant recesses of Scotland *.

The consequences of the mortality are carefully detailed by the contemporary writers. At first the reduction in the number of the consumers effected a proportionate reduction in the price of all merchantable articles: in the second year the prices rose with a ra-

* Knyght. 2599. Wals. 198. Ford. xiv. 7. Rym. 655. 653. Edward himself, speaking of the number of the dead, uses the vague expressions of, non modica pars populi, and magna pars populi. Rym. v. 668 693. New Rym. iii. 316. 621.

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pidity and to a height which alarmed the government *. The ravages of the pestilence had been chiefly confined to the lower orders †: for the more wealthy, by shutting themselves up in their castles, and declining all unnecessary communication with the neighbourhood, had in a great measure escaped the infection. But hence rose a scarcity of labourers for the cultivation of land, and of artisans to construct or repair the implements of husbandry. To remedy the evil, Edward published a singular proclamation, prohibiting the relief of mendicants able to work, and compelling all men and women in good health, under the age of sixty, and without visible means of subsistence, to hire themselves as servants, at the same wages as in former years, to any masters who should be willing to employ them. The execution of these orders was intrusted to the sheriffs, bailiffs, and other officers of the crown, who were to seek out all such persons within their respective jurisdictions, and at the same time take care that no master should employ more of them than his proportionate number ‡. But in spite of fines, imprisonment, and the pillory, the ingenuity and avarice of the labourers contrived to elude the provisions of the proclamation: during the harvest the most exorbitant wages were demanded and given; and for their own benefit the proprietors judged it expedient to waive their claim of rent from their farmers, and the lords of manors to suspend the compulsory labours of their villeins §. But

A. D. 1349 June 18.

* Knyghton gives the following as the low prices. 2599. A horse worth forty shillings now costs 6*s.* 8*d.*—a fat ox, 4*s.*—a cow, 1*s.*—a heifer, 6*d.*—a fat wether, 4*d.*—a sheep, 3*d.*—a lamb, 2*d.*—a large pig, 5*d.*—a stone of wool, 9*d* The next year ordinary prices were increased four-fold. Id. 2601.

† Maxime operariorum et servientium. Rym. v. 693.

‡ Knyght. 2600. Rym. v. 693. Stat. of Realm, 1. 307.

§ Knyght. 2601. He mentions the following as exorbitant wages—a mower received a shilling a day with his victuals: a reaper eighteenpence a day and his victuals. Id. 2600. The ordinary wages of workmen are thus stated in the act of parliament:—haymakers per day, without victuals, 1*d.*; mowers, ditto, 5*d.*; reapers in first week of August, 2*d.*; ditto, in the next and succeeding weeks, 3*d.*; thrashers per quarter of wheat or rye, 2½*d.*; ditto of barley, beans, peas, and oats, 1½*d.*; carpenters per day, 2*d.*; masons, 3*d.*; tilers, 3*d.*: thatchers, 3*d.*; plasterers, 3*d.*; labourers,

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in the next parliament the ordinance was converted into a statute; the amount of the wages to be given to different classes was determined; and new penalties were enacted against the transgressors.

The piety of the age attributed this destructive visitation to the anger of the Almighty: but in speculating on the causes which provoked that anger, every writer seems to have been swayed by personal prejudices, or local considerations. All, however, embrace the opportunity to inveigh against the prevailing extravagance of dress, the silk hoods and party-coloured coats of the men, their deep sleeves and narrow confined waists, the indecent shortness of their hose, and the ridiculous length of their pointed shoes, the bushy beard before, and the tail of hair behind *. Some had even the temerity to extend their censure to the females, whom they affected to describe as having renounced the native modesty of the sex, to ape the manners, and adopt in a great measure the dress of the men. No lady of distinction, if we may believe them, could now ride on a palfrey; she must be mounted on a spirited charger. Her head was encircled with a turban, or covered with a species of mitre of enormous height, from the summit of which ribbons floated in the air like the streamers from the head of a mast. Her tunic was half of one colour, and half of another: a zone deeply embroidered, and richly ornamented with gold, confined her waist, and from it were suspended in front two daggers in their respective pouches. Thus attired she rode in the company of her knight to jousts and tournaments, partook of the different diversions of the men, and by her levity and indiscretion afforded food to the lovers and

1½*d.* Masters of the above trades, one penny per day more than their men. No man was allowed to work out of his neighbourhood, except the inhabitants of Staffordshire, Lancashire, Derbyshire, Craven, and the marches of Scotland and Wales, who had always been accustomed to seek employment during the harvest in all parts of England. Rot. Parl. ii. 239. Stat. of Realm, i. 311.

* Chaucer, 198. Gaguin, apud Spond. 488.

retailers of scandal *. Whatever the reader may think of these censures, he must be entertained with the descriptions. But there is one discovery which I must not omit, that of the fanatics denominated flagellants, or whippers. It was their peculiar felicity not only to know that the mortality had been sent in punishment of sin, but to be in possession of the only means by which the remission of sin could be effected. Divided into companies of male and female devotees, under a leader and two masters, they stripped themselves naked to the waist, and publicly scourged themselves, or each other, till their shoulders were covered with blood. This expiatory ceremony was repeated every morning and afternoon for thirty-three days, equal in number to the years which Christ is thought to have lived upon earth; after which they returned to their former employments, cleansed from sin by "the baptism of blood." The flagellants appeared first in Hungary; but missionary societies were soon formed, and they hastened to impart the knowledge of the new gospel to foreign nations †. They spread with rapidity over Poland, Germany, and the Low Countries. From France they were excluded at the request of the pope, who had issued a severe constitution against them ‡; but a colony reached England, and landed in London, to the number of one hundred

* Knyght. 2507. In 1363 a statute was passed to repress extravagance of dress, to which in the preamble is attributed the poverty of the nation. Its prohibitions extend to six classes, 1. Labourers and workmen; 2. Masters and yeomen; 3. Gentlemen and esquires whose income does not exceed 100 marks per annum, and merchants and tradesmen whose goods are valued at 500*l.*; 4. Persons of the same degree as the last, but with lands or goods of twice the value; 5. Knights with an income not exceeding 200 marks per annum: 6. Do. with an income of 400 marks or more. For each class the cloth is regulated by a fixed price. The use of silk, cloth of gold, gold and silver, and precious stones and furs, is absolutely forbidden to the three first; of cloth of gold, of cloaks, mantles, and gowns, trimmed with the more precious furs, to the two next. The last were allowed to wear all these things, with the exception of ermine and jewels. Ladies belonging to the two last classes might wear jewels in their head-dress. Rot. Parl. ii. 278.

† Johnes' Froiss. ii. 263. Bzov. ad. ann. 1349.

‡ L'Evesque has given us two stanzas of one of their hymns, p. 531. They run in the following strain:— Through

and twenty men and women. Each day at the appointed hour they assembled, ranged themselves in two lines, and moved slowly through the streets, scourging their naked shoulders, and chanting a sacred hymn. At a known signal all, with the exception of the last, threw themselves flat on the ground. He, as he passed by his companions, gave each a lash, and then also lay down. The others followed in succession, till every individual in his turn had received a stroke from the whole brotherhood. The citizens gazed and marvelled, pitied and commended; but they ventured no further. Their faith was too weak, or their feelings were too acute; and they allowed the strangers to monopolise to themselves this novel and extraordinary grace. The missionaries made not a single proselyte, and were compelled to return home with the barren satisfaction of having done their duty in the face of an unbelieving generation *.

Through love of man the Saviour came,
  Through love of man he died;
He suffer'd want, reproach, and shame,
  Was scourged, and crucified.
O! think then on thy Saviour's pain,
And lash the sinner, lash again.

* Wals. 169. Avesb. 179, 180. Murim. 103. Stow, 246.

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CHAPTER II.

EDWARD III.

Renewal of the War in France—Victory of Poitiers—Liberation of the King of Scots—Peace with France—Release of King John—Who returns and dies—War in Spain—Victory of Navarette—Confiscation of Guienne—Sickness and death of the Black Prince—Death of the King—Amendments in the Laws and administration of Justice—Constitution and Forms of Parliament—Manner of raising Taxes—Constitution of the Army and Navy.

EDWARD had now awaked from the dream of his ambition. Convinced by experience that the French crown lay beyond his reach, he offered to renounce his pretensions in exchange for the sovereignty of the provinces, which he held as a vassal in his own right, and in the right of his queen. By Philip the proposal was rejected with scorn: John, his son and successor, discovered, perhaps feigned, a willingness to accept it. When the envoys of the two powers met at Guisnes to prolong the armistice, they agreed that such an arrangement offered the only basis on which could be founded the hope of a permanent peace; and promises were given and received that the necessary renunciations on each side should be made in the presence of the new pontiff, Innocent VI.; that the prelates and barons of both kingdoms should signify their assent; and that each monarch should subject himself and his dominions to the censures of the pope, in case he should ever violate the treaty. But this prospect, so consoling to the friends of humanity, was closed by the pride of the French people. The prelates and barons of England

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sent their procurators with full powers to the court of Innocent: but those of France declared that they would never suffer their king to surrender a sovereignty which formed the brightest jewel in the French crown*. Edward complained of the bad faith of his adversary: indignation urged him again to arms; and a plan of combined operations was concerted between him and his eldest son, now called, from the colour of his armour, the black prince. The latter opened the campaign with an army of sixty thousand men. The orders issued to the soldiers were to pillage, burn, and destroy; and, that they might extend their ravages over a wider tract of country, they were divided into several "battles" with directions to keep during the march at a certain distance from each other. From the walls of Bordeaux the prince led his plunderers through the county of Armagnac to the foot of the Pyrenees; and turning to the north, continued his devastations till he arrived before the city of Toulouse. Two days were spent in fruitless attempts to provoke the enemy to battle: on the third he passed the Garonne by a ford, resumed his destructive career, and gave to the flames the suburbs of Carcassone, and the burgh of Narbonne. But the measures which had been taken to assemble a numerous army in his rear admonished him to return. The enemy retired at his approach: the English, loaden with plunder, marched back to Bordeaux; and the young Edward could boast, that in the short space of seven weeks he had laid in ashes more than five hundred cities, towns, and villages, in a populous district, which for a century had not been visited with the horrors of war†.

A. D. 1355. Oct. 6.

During this expedition the king of England marched from Calais at the head of a gallant army: but all his

Nov. 2.

* Rym. v. 794—799. 808. 816. Knyght. 2607. Wals. 170 Murim. 105.

† See the official account in Avesbury, 210—226. Carcassone was as large as York, Narbonne but little less than London. Ibid. 220. The pretext for such devastations was that the French king drew a considerable part of his revenue from these provinces, and that by ravaging them his means of continuing the war would be proportionably abridged. Ibid.

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plans were disconcerted by the superior policy of John, who cautiously shunned an engagement, but was careful, as he retired before his adversary, to lay waste the country around him. The English had not reached Amiens when the want of provisions compelled them to return. A scanty supply was procured in the Boulonnois; and they entered Calais on the tenth day after their departure from it. Here the French monarch sought to amuse Edward with proposals for a general battle; while his allies the Scots surprised Berwick, poured over the borders, and spread devastation through the northern counties. But at the first intelligence the king hastened to England, met his parliament at Westminster, obtained a liberal aid for six years, and ordered his forces to assemble in Northumberland. Berwick was recovered by the sole terror of his approach; and at Roxburgh he purchased from Baliol his patrimonial property in Galloway, together with his rights to the Scottish throne. That prince, advanced in age and without children, gladly surrendered a barren and disputed title for the present sum of five thousand marks, and a yearly rent of two thousand pounds *. From Roxburgh Edward marched through the Lothians with the banner of Scotland displayed before him; and the English, meeting no enemy, divided themselves into small bodies, and reduced to ashes every farm-house, village, and town, within twenty miles of the sea-coast. At Edinburgh their progress was again arrested by the want of provisions. A fleet, indeed, carrying a plentiful supply, had sailed for the harbour of Leith; but it had been driven back by a strong northerly wind; and Edward reluctantly ordered the army to return to England. The Scots hovered on its rear, and consoled their revenge with the slaughter of the few stragglers who loitered behind. The havoc caused by this expedition was long remembered by the natives, who in

Nov. 12.

Nov. 6.

Nov. 25.

A. D. 1356. Jan. 20.

* Rym. v. 832—844. 850. 852. Rot. Scot. i. 788. 799. Baliol died in 1363. Knyght. 2627.

their subsequent incursions into England animated themselves to similar depredations by the cry of "the "burnt candlemas *."

The next year was signalised by the ever memorable victory of Poitiers. The honour and plunder of the late campaign stimulated the prince of Wales to a similar attempt in a different direction. With a small army of twelve thousand men he left Bordeaux, ascended the Garonne as far as Agen, and turning to the left overran the fertile provinces of Querci, Limousin, Auvergne, and Berri. Conquest was not his object, but to inflict on the natives the injuries of war, and to enrich his followers at the expense of the enemies. The harvest was trodden under foot; the cattle were slaughtered; the wines and provisions which the army could not consume were destroyed; the farm-houses, villages, and towns, were reduced to ashes; and every captive, able to pay his ransom, was conducted to Bordeaux. He turned from Issodun and Bourges, which threatened a vigorous resistance; but took Vierzon by storm, and Romorantin by setting it on fire. In this desolating expedition it does not seem to have occurred to the young prince that it was dangerous to penetrate so far into a powerful kingdom, or that his retreat might probably be intercepted by a more numerous force. The king of France had ordered his vassals to join him at Chartres, and crossing the Loire at Blois, pushed forward to the city of Poitiers. Edward, when it was too late, had commenced his march for the same city: but it was his misfortune to know nothing of his enemy but from vague and suspicious reports, while his own motions were accurately observed, and daily notified to the French monarch. One day, after a fatiguing march, the English had reached in the afternoon the village of Maupertuis, about five miles from Poitiers, when their van unexpectedly fell in with the rear of the enemy. The

July 6.

Sept. 4.

Sept. 17.

* Avesbury, 235—238. Knyght. 2611. Lel. Coll. i. 566. Ford. xiv. 13.

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danger of his situation immediately flashed on the mind of the prince. "God help us," he exclaimed, "it only "remains for us to fight bravely *."

In stating the amount of the hostile armies, historians are greatly at variance: but of their relative numbers a probable estimate may be formed from the testimony of sir Thomas Gray, that John had 8000, Edward 1900 coats of arms under his command †. This superiority, however, was partially balanced by the advantage of a position most unfavourable to the operations of the cavalry, which formed the real, the only strength of the French army. It was a rising ground, covered with vineyards, and intersected with hedges, accessible only in one point through a long and narrow lane, which in no part would admit of more than four horsemen abreast. In the morning the prince ordered his men at arms to form on foot in front of the road: one half of his archers he posted before them in the favourite figure of a portcullis or harrow: the other half he ordered to line all the hedges between the main body and the moor on which the enemy was encamped. John arrayed his army in three divisions on foot, under the separate command of his cousin the duke of Orleans, of his three eldest sons, and of himself and his fourth son, a youth in his sixteenth year. He retained on horseback only three small bodies, one of which, consisting of three hundred knights and esquires, selected from the whole army, was destined for the hazardous attempt of dispersing the archers in front of the English line. These arrangements were hardly completed when the cardinal Talleyrand Perigord arrived on the field, and with uplifted hands besought John to spare the blood of so many noble knights; nor stake on the uncertain issue of a battle the advantages which he would certainly obtain by negotiation. His repeated entreaties wrung from the king a reluctant consent; and riding to the prince, he represented to

Sept. 18.

* Froiss. c. 155—157. † Scala Chron. 175.

him the danger of his situation. "Save my honour," said the young Edward, "and the honour of my army, "and I will readily listen to reasonable conditions."—"Fair son," replied the cardinal, "you have answered "wisely. Such conditions it shall be my task to pro-"cure." The legate was indefatigable in his endeavours. He rode from army to army. He laboured to subdue the reluctance of the prince, and to lower the confidence of the king. Edward offered to restore his conquests, his spoil, and his captives, and not to bear arms against France for seven years. John, at the persuasion of the bishop of Chalons, and Eustace de Ribeaumont, demanded as his ultimatum, that the prince and a hundred of his knights should surrender themselves prisoners of war. The proposal was indignantly rejected: the prospect of a pacification vanished; and the night was spent in preparations for battle. To judge from the opposite numbers, no doubt could be entertained of its issue; but the recollection of the battle of Creci cheered the English with a gleam of hope, and occasionally staggered the confidence of their enemies *.

With the dawn of light, the trumpets summoned the two nations to their respective posts. The English had improved the interval to throw up trenches, and form a barricade of waggons, where their position seemed the least difficult of access. The French had made no other alteration than to place a body of reserve under the duke of Orleans in the rear, and to give the command of the first division to the two marshals, Arnold d'Andreghen and John de Clermont. The cardinal Talleyrand was again in the field: but his entreaties were fruitless, and he was told that so much importunity displeased the king, and might be attended with disagreeable consequences to himself. He then rode to convey the tidings to the prince, who coolly replied: "God de-"fend the right!" and the departure of the legate was

Sept. 19.

* Froiss. c. 169.

made the signal for the commencement of the battle. The French marshals, at the head of their cavalry, fearlessly entered the lane, and were suffered to advance without molestation. At last the order was given: the archers behind the hedges poured in destructive volleys of arrows; the passage was choked with men and horses in the agonies of death; and the confusion became irremediable, from the increasing pressure of the rest of the column. A few knights forced their way through every obstacle: others broke down the hedges, and in small bodies reached different points in front of the English; but not one could penetrate as far as the main body. The arrows were directed with too sure an aim to be eluded by address, and flew with a rapidity not to be resisted by ordinary armour. D'Andreghen was unhorsed and taken; Clermont was killed; the survivors, dismayed by their fate, paused, then retired slowly, and at last fled with precipitation to the second division, which received them within its ranks.

But that division now began to waver. The archers, the terror of the men at arms at a distance, advanced in front, and a body of six hundred English was unexpectedly seen to cross a neighbouring hill, and fall on the left flank. The knights in the rear hastily left their banners to secure their horses, and the lords who had the charge of the three princes, alarmed for their safety, sent them to Chauvigni under a guard of eight hundred lances. The departure of so large a body was mistaken for a flight, and the whole division in a few minutes dispersed.

The men at arms under Edward had hitherto been spectators of the combat. "Sir," said sir John Chandos to the prince, "the field is won. Let us mount, and "charge the French king. I know him for an intrepid "knight, who will never flee from an enemy. It may "be a bloody attempt; but, please God and St. George, "he shall be our prisoner." The advice was approved, and the army advanced from the enclosures to the moor,

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which had become the theatre of battle. The duke of Athens, constable of France, was the first to throw himself in their way: his shout of "Mountjoy and St. Denis!" was answered by the national cry of "St. George for "Guienne!" and in a few minutes the duke, with the greater part of his followers, was slain. The German cavalry next charged the English; but were easily dispersed with the loss of the three earls, their commanders. Lastly, John himself, animated by despair, (for his reserve had fled already) led up his division on foot, and fought for honour, when it was evidently too late to fight for victory *.

When kings have fallen or have been taken in battle, it has always been the fashion to describe them as performing prodigies of valour: but John does not owe his reputation to flattery or pity: it had been previously established in several engagements, and was equally acknowledged by friends and foes. For a while he maintained the unequal contest. He had received two wounds in the face; was beaten to the ground; and was surrounded by a host of adversaries, each of whom was anxious to secure so noble a prize. A young knight, bursting through the crowd, bent his knee, and requested him to surrender, or he would lose his life. He asked for his cousin, the prince of Wales. "He is not here," returned the knight, "but surrender to me, and I will "conduct you to him." "But who are you?" inquired the king. "Denis de Morbecque," he replied, "a knight "of Artois, but compelled to serve the king of England, "because I have been banished from France." John surrendered to him; and his son Philip was made prisoner at the same time †.

* Froiss. c. 160. In relating the events of this battle Froissart's arrangement is sometimes evidently erroneous. Thus he kills the constable of France before the flight of the three princes, and describes him as fighting after their flight. I have placed them in the order in which I conceive them to have happened.

† Froiss. c. 161. This writer's account is full: a few additional particulars may be gleaned from the French and English historians. The names of the slain and of the captives may be seen in Avesbury, 252.

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Thus ended the battle of Poitiers, in which the whole chivalry of France was defeated by a handful of Englishmen, and the king became the captive of the prince whom, he persuaded himself, he had enclosed in his toils. If on such an occasion the youthful mind of the conqueror had betrayed symptoms of vanity, it would have been pardonable: but Edward's moderation in victory added to the admiration which he had inspired by his conduct in battle. There were in his army many knights, who could have disputed with him the palm of personal bravery: there was not perhaps one his equal in the more amiable accomplishments of modesty and courtesy. He behaved to his royal captive with all the respect due to a sovereign, waited on him at table, soothed his affliction by reminding him of his valour, and assured him, that in the estimation of all who had witnessed his conduct, he had that day fairly won "the prize and gar-"land" of chivalry*. The next morning he continued
A. D. 1357. his march with his prisoners to Bordeaux, and having
Mar. 23. concluded a truce for two years with the dauphin, the regent of France, returned to England in the spring.
May 5. He landed with John at Sandwich, and proceeded by easy journeys to London. His father had given the necessary directions for his entry into the capital, under the pretence of doing honour to the king of France; an unwelcome honour, which served to remind that monarch of his captivity, and to make him the principal ornament in the triumph of his conqueror. Arches were thrown across the streets, tapestry, plate, and arms were suspended from the windows, and the road was lined with
May 24. crowds of spectators. The lord mayor at the head of more than a thousand citizens, divided into companies, distinguished by their respective devices and colours, proceeded to meet the prince and his attendants in Southwark. The king of France was mounted on a cream-coloured charger with magnificent trappings: the

* Froiss. c. 164.

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young Edward rode on a small pony, without any thing to distinguish him: but he did not elude the eager eyes of the spectators, who hailed with loud acclamations the conqueror of Poitiers. Some hours elapsed before the cavalcade could reach Westminster-hall, where the king was seated on his throne, surrounded by his prelates and barons. When John entered he rose, descended to embrace him, and led him to partake of a splendid banquet. The palace of the Savoy, and afterwards the castle of Windsor was allotted to him and his son for their residence *.

According to a notion, which had been prevalent for ages, the prisoner of war became the absolute property of the captor. The man, who might have deprived him of life, had acquired a right to his person; and, as he was swayed by avarice or generosity, passion or caprice, prolonged or shortened the detention of the captive. Edward, aware of the inconveniences arising from this system, had long attempted to abolish it, by withdrawing prisoners of consequence from the custody of individuals, and placing them under his own control. From those, whom he dared not offend, he purchased their captives for a stipulated sum: others he compelled to surrender them at a price fixed by his council. Thus he secured two great advantages. He was enabled to retain in captivity the prisoners whose release might be prejudicial to his interests; and, as he was careful to demand more than he had given, was sure to replenish his coffers from their ransoms. At Nevil's Cross the king of Scotland, in the battle of Poitiers the king of France, had fallen into the hands of two obscure individuals, who surrendered their captives at the command of their sovereign, and thankfully accepted the remuneration which he assigned them †. Had he still entertained the chimerical

* Froiss. c. 170. Knyght. 1615. Murim. 110.

† Thus Coupland gave up the king of Scots, and received with the rank of a banneret lands to the yearly value of 600*l*. Rym. iii. 542. Morbecque was less fortunate. Though the king of France declared that he was

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design of conquering the two kingdoms, he would not have consented to the release of these monarchs: but he resolved to draw more solid advantages from his victories, and willingly entered into negotiations respecting the amount and the conditions of their ransoms. David was the first who had lost his liberty, and he remained
A.D. eleven years the prisoner of his brother-in-law. He was
1351. permitted to visit Scotland, and confer with his subjects; but the demands of Edward were high: the Scots were poor and obstinate; and the unfortunate prince, after
A.D. several fruitless attempts, returned to his prison. Three
1354. years later another nogotiation was opened: the ransom
July 13. of David was fixed at ninety thousand marks, to be paid
Oct. 5. by equal instalments in nine years: Edward confirmed the treaty; the day for its execution was appointed, and commissioners were named, to give freedom to the king, and receive hostages for the payment of the money *. To his bitter disappointment, the king of France, a friend and ally, despatched an envoy to Scotland with powers to conclude a treaty, and distribute among the nobility forty thousand crowns. It was a paltry sum; but the glitter of the money furnished an argument which Scottish poverty could not resist. The parliament abandoned their king, refused to furnish the hostages for his release, and engaged to make war upon England †.

But Edward's expedition to Haddington and Edinburgh taught the Scots to doubt the policy of their engage-
A.D. ments with France, and they consented to meet the Eng-
1357. lish commissioners to treat of the liberation of their king,
July 12. and a perpetual alliance between the two crowns. Their partiality, however, for the French induced them to protract the negotiations: for the space of three months

prisoner to Morbecque, who gave up his claim to Edward (Rym. vi. 72), an action was brought against him by an esquire, Bernard de Troie, who maintained that he himself was the real captor (Rym. vi. 154). Morbecque died before the cause was decided in the marshal's court. Edward occasionally allowed aid to the agents of Troie to pursue the suit (Rym. vi. 509, 510), but we are not acquainted with the issue.

* Rym. v. 791. Rot. Scot. i. 768—771. † Ford. xiv. 9.

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difficulties were objected, explanations demanded, and expedients suggested and withdrawn: but the victory of Poitiers roused them from their apathy, and they now became as eager in making their proposals, as they had hitherto been backward in accepting the proposals of Edward. At length it was agreed that "Sir David, "king of Scotland" (so Edward condescended to term him for the first time) should be set at liberty on the following conditions: that during the next ten years there should be a truce between the two powers; that the king of Scotland should pay the king of England one hundred thousand marks in twenty half-yearly instalments; and that in default of payment on any occasion, David should again surrender himself a captive within thirty days after the term had expired. To the faithful observance of these articles the Scottish prince swore on the gospels, and as an additional security named for hostages twenty heirs of the principal families in the kingdom, with nine earls, three of whom in rotation should always remain in the custody of the king of England. Edward, however, was not satisfied; and the deputies of the Scottish prelates, barons, and burghers, severally gave their bonds, by which these orders separately, and all the members individually, made themselves responsible for the payment of the whole, and of every part of the sum stipulated by the treaty. David immediately received his freedom, and returned to his own country *.

Oct. 3.

Oct. 5.

Nov. 1.

But the Scots soon discovered that they had it not in their power to fulfil their engagements. After two payments they fell into arrears: Edward complained; ex-

* Rym. vi. 31. 33—38. 40—64. Murim. 111. After this Edward never, except in the treaty for the union of the two crowns, gave him the title of king of Scotland, but called him our dear brother sir David of Brus, or of Scotland. Robert the successor of David complained, but obtained no other satisfaction than a declaration that the omission of the title should not invalidate the acquittances given for the payment of the ransom (Rot. Scot. i. 953). Both by Edward and Richard II. Robert is always in official documents designated as the head of a party in Scotland, "le noble "et puissant prince Robert, notre chier cousyn d'Escossa, et les grantz de "sa partie" Ibid. ii. 13. 57

cuses were offered and at first accepted; but his wants rendered him impatient, and for eight years the amity between the two crowns seemed perpetually on the point of being interrupted. It was not that David was unwilling, but unable to satisfy the obligation. He repeatedly visited his brother-in-law; and on one occasion came to an understanding with him, that on his demise without issue, the English king, who still claimed as the representative of Baliol, should ascend the Scottish throne, but on conditions which should preserve inviolate the rights and customs and independence of that kingdom. The very mention of such a project alarmed the pride of the Scots; and David had the prudence to desist from the attempt, and to open a new negotiation with Edward. After many discussions an agreement was made, by which all the penalties incurred by former failures were annulled, and a truce was granted for the long term of five-and-twenty years, on condition that the Scots should annually, during that period, pay into the English treasury the sum of six thousand marks: but a proviso was added, giving to either party, at the expiration of four years, the option of recommencing hostilities after six months' previous notice; stipulating, however, at the same time, that, if David were the aggressor, he should still be bound to the payment of the six thousand marks per annum; but if Edward, he should receive no more than the remaining balance of the original ransom *. It so happened that at the end of four years the king of England was engaged in war, and unwilling to draw on himself additional hostilities from Scotland, he consented to abandon his former demands, and to receive four thousand marks per annum, during fourteen years, which, with what had already been paid, would make up the first sum of ninety thousand marks †. David died soon afterwards: but the great truce (so it was called) was carefully observed,

A. D. 1363. Nov. 27.

A. D. 1365. June 12.

A. D. 1369. July 20.

* Rym. vi. 426. 468.

† Id. vi. 632.

and the money was faithfully paid by Robert his successor, the first of the house of Stuart who sate on the Scottish throne.

But to adjust the rival claims of the kings of England and France was a matter of infinitely greater difficulty. By the pope's mediation a form of peace, subject to the approbation of Edward, had been agreed upon at Bordeaux, before the prince of Wales and his captive sailed to England*. Two legates followed them to London, and the negotiations recommenced. Edward required an enormous ransom for the king and the other prisoners, and demanded in return for his renunciation of all claim to the crown of France the restoration of the provinces which had formerly belonged to his ancestors, to be holden by him in full sovereignty without any dependence on the French monarch. These were hard and galling conditions, yet such as perhaps might be justified by the existing state of affairs. The king of France was a captive; his son, the regent, was without authority; in some provinces the peasants had risen in arms, plundering and demolishing the castles of the nobles; others were pillaged by parties of marauders, who formerly belonged to the English army, but were now disavowed by Edward: in Paris the provost of the merchants at the head of the populace set the royal authority at defiance; and in Normandy the king of Navarre declared war against the regent, and was suspected of aspiring to the throne, as heir in the female line to Louis le Hutin. John, though he explained, and hesitated, and delayed, at length acceded to Edward's demands: the necessary instruments were sealed; and two prisoners of war returned to France to lay the treaty before the states, and obtain their ratification. But when their contents were disclosed, they were received with horror. Every Frenchman felt for the degradation of his country; and a peremptory refusal was unanimously

A. D. 1357. Mar. 23.

A. D. 1359 Mar. 24.

* Rym. vi 319.

Aug. 12. returned. Edward complained that he was again deceived by the insincerity of his adversaries, and bade them prepare for war at the termination of the truce. They endeavoured to retort the charge, by maintaining that the unreasonableness of his demands was a proof that he did not wish them to be accepted *.

Oct. 28. In the beginning of autumn the king sailed from Sandwich with eleven hundred transports, conveying the most numerous and best appointed army which had been raised in England for more than a century. From Calais this mighty host marched in three divisions at a considerable distance from each other, with long trains of waggons in the two intervals †. In defiance of the season and of the enemy they forced their way through Picardy, Artois, and Cambresis, as far as Rheims, where the kings of France were generally crowned. It was Edward's intention to have the ceremony performed on himself in that city; but it was so gallantly defended by the archbishop and the inhabitants, that after wasting seven weeks before it, the king raised the siege and marched into the duchy of Burgundy. The duke Philip, unable to protect his people against so powerful an enemy, purchased a truce for three years by an engagement to pay the sum of fifty thousand marks ‡, on the condition that he should remain neutral; that his

Nov. 4.

Nov. 30.

A. D. 1360. Jan. 20. Mar. 10.

* Rym. vi. 134. Knyght. 2616. Wals.

† Rym. vi. 142. Froissart gives a curious account of the baggage of the army. "I must inform you that the king of England and his rich lords "were followed by carts loaden with tents, pavilions, mills, and forges, to "grind their corn, and make shoes for their horses, and every thing of "that sort which might be wanting. For this purpose there were upwards "of six thousand carts, each of them drawn by four good and strong "horses, which had been transported from England. Upon these carts "were also many vessels and small boats, made surprisingly well of boiled "leather: they were large enough to contain three men, to enable them "to fish any lake or pond, whatever might be its size; and they were of "great use to the lords and barons during Lent; but the commonalty "made use of what provisions they could get. The king had besides "thirty falconers on horseback, loaden with hawks; sixty couple of "strong hounds, and as many greyhounds; so that every day he took the "pleasure of hunting or fishing. Many lords had their hawks and "hounds, as well as the king." Johnes's Froiss. c. 208.

‡ 200,000 moutons d'or.

dominions should be free from contributions and hostilities; that his subjects should have permission to serve either prince out of the limits of Burgundy; and that, if a majority of the French peers should acquiesce in the coronation of Edward as king of France, the dissent of the duke should be considered as a violation of the treaty *.

While Edward remained in Burgundy the English nation was thrown into confusion by the sudden appearance of a French fleet, which swept the channel, and insulted the coast with impunity. Winchelsea was taken and pillaged; and the report of the barbarities, which had been exercised on the captives, induced men of every profession, clergy as well as laity, to arm themselves in defence of their country. The king of France for greater security was by command of the council removed from place to place; troops were collected in the ports the most exposed to the enemy; all merchant vessels were seized for the king's use; the maritime counties were compelled to furnish a certain proportion of men at arms; and a fleet of eighty sail, with fourteen thousand men on board, was placed under the command of sir John Paveley, prior of the knights hospitallers. The French now thought it prudent to retire: but the English, to revenge the atrocities committed at Winchelsea, followed them to their own coast, and took and plundered the small isle of Sein on the coast of Bretagne †.

Mar 16

Mar. 26.

Apr. 13.

From Burgundy Edward turned to the north, followed the course of the Seine, and within a fortnight planted his banner before the gates of Paris. During the festival of Easter the operations of war were suspended by mutual consent; but it was in vain that the papal legates attempted to open a negotiation. The

Mar. 31.

Apr. 2.

* Rym. vi. 161—164. Scala Chr. 190.

† Rym. vi. 167, 168. 180. According to the royal writs, the French put all the inhabitants of Winchelsea to the sword. Transcripts for New Rymer, 5.

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lofty pretensions of the king of England were met with equal obstinacy by the dauphin; whose confidence was strengthened by the numbers that crowded to his standard, by the severity of the weather, and by the distress of the English from the scarcity of provisions. After sending an idle challenge to his adversary, and wreaking his vengeance on the suburbs by setting them
Apr. 7. on fire, Edward decamped, with a threat that in the summer he would pay the capital a second and more formidable visit. Necessity compelled him to take the shortest road to Bretagne. At Guillardon he was overtaken by the chancellor of France, with new proposals of peace. They were rejected: the chancellor persevered, and the king hastened his march. The precipitation of the English was like that of a defeated army, seeking to escape the pursuit of a victorious enemy; their route was covered with the dead bodies of men
Apr. 13. and horses, the victims of want and fatigue; and in the neighbourhood of Chartres they found themselves exposed to one of the most dreadful storms recorded in history. The violence of the wind, the bulk of the hailstones, the incessant glare of the lightning, and the sight of the thousands perishing around him, awakened in the heart of the king a sense of the horrors occasioned by his ambition. In a fit of remorse he sprang from his saddle, and stretching his arms towards the cathedral of Chartres, vowed to God and the Virgin that he would no longer object to proposals of peace, provided they were compatible with the preservation of his honour *.

The negotiation now advanced with greater speed. On the 7th of May an armistice was concluded: on the 8th the treaty, emphatically called "the great peace,"
May 8. was signed at Bretigni by commissioners from each party. The king of England renounced his pretensions to the crown of France, and his claim to the ancient

* Froiss. c. 209. According to Knyghton 6000 horses perished on that day. Knyght. 2624. Scala Chron. 193.

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patrimonial possessions of his family, Normandy, Anjou, Touraine, and Maine; he restored all his conquests, with the exception of Calais and Guisnes; and reserved to himself Poitou and Guienne with their dependencies, and the county of Ponthieu, the inheritance of his mother. The dauphin, on the part of his father, consented that Edward and his heirs should possess for ever the full sovereignty of the countries secured to him by the treaty; that a ranson of three million crowns of gold should be paid for John within the course of six years; and that Edward should receive and detain as hostages, twenty-five French barons, sixteen of the prisoners made in the battle of Poitiers, and forty-two burghers from the most opulent cities in France*.

The king immediately hastened to England, and John was sent to Calais, that he might the more easily communicate with his son, the dauphin, who for that purpose repaired to Boulogne. Many unexpected difficulties sprung up: explanations were repeatedly demanded and given by each party, and three months elapsed before the treaty was solemnly ratified. Even then the ratification contained an important departure from the original articles. John was anxious to obtain from Edward his renunciation of all claim to the French crown: Edward to obtain from John a renunciation of the sovereignty over Guienne, Poitou, and Ponthieu. Yet these renunciations were not made; not that either of the kings refused to abide by the original treaty, but because the lawyers held, that no renunciation would be valid till all the other provisions were carried into execution. It was, however, mutually agreed, that every cession stipulated by the treaty should be made as soon as possible: that then the renunciations should be faithfully exchanged in the church of the Augustinians at Bruges, on the next feast of the assumption, or at the latest on that of St. Andrew. In the mean time each

May 18.

July 8

Oct. 2[illegible].

* Rym. vi. 175—196. Two crowns of gold were equal in value to an English noble. Transcripts for New Rym. 55.

monarch pledged his word that he would make no use of his claim, and that as far as the interest of the other was concerned it should be considered as formally renounced *.

After these preliminary steps the treaty was ratified with more than usual solemnity at Calais. Edward and John met in the church of St. Nicholas, ascended the steps, and knelt together on the platform of the altar. The papal envoy, Audoyn, abbot of Cluni, who celebrated mass, turned to them after the consecration, holding the paten with the host on it in his hand, and having by his side the bishops of Winchester and Boulogne, who supported the missal. He recapitulated in their hearing the chief articles of the treaty, to which they were going to swear. Then Edward, after a short pause, addressed the king of France:—"Fair brother," said he, "I warn "you, that it is not my intention to be bound by this "oath, unless you on your part faithfully observe all the "articles of the treaty." John signified his assent, and placing one hand on the paten, and the other on the missal, swore by the body of Christ and the holy gospels. He was followed by Edward; and a similar oath was administered to twenty-four French, and to twenty-seven English princes and barons †.

Oct. 24.

But John's authority had been impaired by his misfortunes, and he found it an easier matter to promise than to perform. After much opposition and repeated delays, he had been able to transfer to Edward the several districts mentioned in the treaty; but such was his poverty, that in four years he had not paid one-third of his ransom; and so stubborn was the opposition of his barons, that he never dared to make the renunciation of sovereignty to which he had bound himself. Whatever was the cause of the delay, no man questioned the king's honour: but the sincerity of his son was deemed more

* Rym. vi. 219—298.

† Rym. vi. 233. In the ratification of the treaty Edward did not assume his usual title of king of France.

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problematical. It was under the plea of that sovereignty that former kings of France had annexed to their crown the possession of many among the fairest provinces in the kingdom; and it was suspected that the reluctance of the dauphin arose from the hope that the same claim might hereafter afford him an opportunity of incorporating with his own dominions those which by the treaty had been secured to Edward and his successors.

It should, however, be admitted that the French government had also just reason of complaint. During the war, the liberality and reputation of Edward had drawn to his standard soldiers of fortune from every nation in Europe. These men could live only on the harvest of their swords; and when the king ordered them to surrender the fortresses in which they had been quartered, they refused to obey, kept possession in defiance of the two monarchs, and supported themselves with the plunder of the country. It is computed that "the companies" (so they were named) amounted at one period to forty thousand men. The number is probably exaggerated: but they associated together, received every new comer into their ranks, and defeated a powerful army, which had been raised, and sent against them by the king of France. It was in vain that Edward issued threatening proclamations; the companies continued to plunder the French territories, till a liberal present and the prospect of greater advantages induced them to join the armies in Spain and Italy*.

A. D. 1362. Jan. 13.

Besides the difficulty arising from the hostilities of "the companies," there was much in the conduct of Edward himself which awakened suspicion. The particulars have not been transmitted to us: but we have a letter from the pontiff, in which Innocent entreats him, for the sake of his own honour, and in reverence to his oath, to remove every doubt respecting his intentions, and to observe the treaty in all its articles†. Among

* Froiss. c. 212, 213. Rym. vi. 341. Scala Chr. 201.
† Rym. vi. 347.

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the hostages in the custody of the king were four princes of the blood royal of France, and on that account called the lords of the fleurs de lys, the duke of Orleans, brother to king John, the dukes of Anjou and Berri, his sons, and the duke of Bourbon, his cousin. These were
Nov. 20. anxious to revisit their country; and Edward had assented to their request, on the condition that certain parts of the treaty should be explained in his favour, and that certain castles should be delivered into his
A. D. 1363. hands. The explanations were given, and the four princes were bound to remain at Calais till the castles
Mar. 13. should be surrendered *. But in the surrender unforeseen difficulties occurred; and the duke of Anjou, violating his parole, proceeded to Paris †. His father immediately resolved to visit the king of England; and to his council, which attempted to dissuade him, nobly replied, that if honour were banished from every other place, it should find an asylum in the breast of kings. He was desirous to exculpate himself from any connivance in the escape of the duke of Anjou, to obtain a modification of some articles in the treaty, and to provide for the security of his dominions during his intended crusade for the deliverance of the isle of Cyprus. But his courtiers could understand nothing of these reasons, and maintained that love and not honour was
Dec. 30. the real motive of his journey. He was received by Edward with every token of affection, resided in the Savoy with the three lords of the fleurs de lys, and spent some weeks in giving and receiving entertainments. But before he could transact any business of importance he was attacked with a dangerous illness, and after he had lingered a few weeks, expired. The king ordered
A. D. 1364. his obsequies to be performed with royal magnificence ‡,
Ap. 8. and sent the corpse with a splendid retinue to France, where it was interred among the ashes of the French
May 7. monarchs in the abbey church of St. Denis.

* Rym. vi. 396. 400. 405. 410, 411. † Id. 452.
‡ Froiss. c. 217. Murim. 118.

The death of John made no change in the existing relations between England and France. Charles, his successor, much as he disliked, was not yet in a condition to violate with impunity the peace of Bretigni. The war, which still continued in Bretagne, between the two competitors, Charles of Blois and the young earl of Montfort, might have endangered the continuance of the peace; but the kings by mutual agreement allowed them to decide their quarrel by force of arms, and each without giving offence to the other sent assistance to his ally. Fortunately for the interests of both nations Charles was killed at the battle of Auray. The king of France after some delay acknowledged Montfort as the lawful duke; and that prince with Edward's consent did homage to him as his sovereign. Still the ravages of the "companies" gave occasions of complaint, and threatened to lead to a resumption of hostilities. Edward, finding that his proclamations were disregarded, offered to march against them in person: but Charles had no wish to see the king of England again at the head of an army in the heart of France, and discovered an expedient, which in a great measure delivered his people from the oppression of these formidable banditti.

Sept. 29.

A. D. 1365. Apr. 12.

At this period the kingdom of Castile, which comprised the larger portion of Spain, was governed by don Pedro, who deserved and obtained the significant epithet of "The Cruel." He ascended the throne at the age of fifteen, began his reign by ordering, at the instigation of his mother, the murder of his father's mistress Leonora de Guzman, and distinguished each following year by the most cruel executions, dictated by avarice, suspicion, or caprice. He had married a French princess, Blanche de Bourbon: but his affections were captivated by a Spanish lady, Maria di Padilia, and his virtuous but unfortunate queen was kept for years in confinement under the care of Hinestrosa, uncle to the king's mistress. His tyranny at last provoked resistance: the insurgents were compelled to seek an asylum in

A. D. 1350 Mar. 26.

A. D. 1353. June 4.

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Arragon; and Pedro declared war against the king of Arragon as the protector of the exiles. Among these were two of the sons of Leonora de Guzman, Enrique,
A. D. count of Trastamare, and Tello, count of Biscay. Pedro
1360. immediately wreaked his vengeance upon the three remaining brothers, Fadrique, Pedro, and Juan; and added to them several other noble victims, the queen dowager of Arragon, the wife of Tello, and Juan of Ar-
A. D. ragon, with his consort. Blanche herself shortly after-
1361. wards experienced a similar fate, and was believed to have perished by poison. The king of Arragon, unable to withstand the superior power of his enemy, gladly purchased a peace; and the exiles, to elude the vengeance of Pedro, retired into France *. To this circumstance that kingdom owed its deliverance from "the "companies." It was proposed that don Enrique should lead them under his banner against the tyrant: the king of France and the pope engaged to advance the money for the expedition; and the celebrated Du Guesclin concluded the treaty with the chiefs of the adventurers †. With the addition of the French knights, who were eager to punish the murderer of Blanche, they marched through Arragon to the number of thirty thousand cavalry, and placed Enrique on the throne of
A. D. Castile without a battle. It was in vain that Pedro
1366. summoned his military tenants. They rejoiced at the distress of the despot, who fled through Portugal to Corunna, threw himself on board a vessel in the harbour, and with his three daughters arrived in safety at Bayonne ‡.

The king of England soon after the peace of Bretigni, had united all his dominions between the Loire and the Pyrenees into one principality, and had bestowed it on
A. D. his eldest son with the title of prince of Aquitaine. The
1361. young Edward, who had married his cousin Joan, coun-

* Mariana, xvi. 18. xvii. 6.
† Edward forbade them to enter Spain, Dec. 5, 1365. Rym. vi. 481.
‡ Froiss. c. 228, 229.

tess of Kent, and relict of sir Thomas Holand, kept his court at Bordeaux at the time when Pedro landed at Bayonne, and the reader may perhaps blush for "the flower of chivalry," when he hears of the cordial welcome and cheering promises which were given to the Castilian. The prince advanced to meet him; received him with honour; assured him of his friendship and protection, and engaged to replace him on the throne from which he had been driven*. Pedro, indeed, stood be- A. D. fore him covered with the blood of his wife, of his three 1366 illegitimate brothers, and of many other illustrious and Sept. innocent victims. But the merit or demerit of the sup- 23. pliant was not the subject of consideration: as an hereditary sovereign despoiled of his crown, he had a claim on the pity of every true knight; he was willing to repay with liberality the aid which should be afforded him; and if further justification were necessary, it might be found in the connexion which had long subsisted both by blood and treaty between the royal houses of England and Castile. Information of Edward's design was secretly transmitted to "the companies." The name of their favourite leader shook their fidelity, and twelve thousand men, under sir John Calverly and sir Robert Knowles, abandoned the standard of Enrique, and hastened to Guienne. The consent of the king of Navarre, without whose permission the army could not have passed the Pyrenees, was purchased by the grant of Guipuscoa, and the promise of a liberal donative; and A. D. three bodies of cavalry, each of which amounted to ten 1367 thousand men, marched in succession through the valley Feb. of Roncesvalles, the supposed scene of the exploits of the fabulous Orlando. It was in the depth of winter: the snow beat in the faces of the troops; and to cold and fatigue was added the want of provisions in a barren and mountainous district. At Pampeluna, the army was relieved through the fear rather than the friend-

* See the treaties between them in Rymer, vi. 512—533.

ship of the king of Navarre; and from Pampeluna the young Edward continued his march to the frontiers of
April 1. Castile *. Two days before the battle he sent a letter by a herald to don Enrique. In it he expressed his surprise that a prince of such noble qualities, and the son of a king, should prove disloyal to his sovereign; observed that he was come in pursuance of former treaties to replace Pedro on the throne; and offered his mediation to spare the effusion of blood, and restore
April 2. friendship between the two brothers. Enrique in his answer maintained that Pedro had forfeited the crown for his crimes; that he himself had been called to the succession by God and the people; and that it was his duty, which he would perform, to repel injury by injury, and uphold the honour and independence of Castile. This answer closed every prospect of peace, and both armies prepared for the battle on the morrow †.

April 3. The next morning the plains between Navarette and Najora were covered with the two armies. Enrique brought into the field sixty thousand infantry, thirty thousand cavalry, ten thousand archers, and four thousand French knights and esquires, who had followed Du Guesclin to Spain, to revenge the fate of Blanche de Bourbon. The army of the prince did not amount to thirty thousand men: but the disparity was more in the numbers than in real force; for the Spanish foot soldiers, though with their slings they might annoy the cavalry at a distance, were of little use in close combat; and the men at arms under the prince were veterans, who had long been inured to victory. At the very onset Tello, the brother of Enrique, fled with his division: but the battle was obstinately maintained by the exertions of Enrique himself, and the courage of Du Guesclin. At length the latter was made prisoner: the French men

* Froiss. c. 234, 235.

† Rym. vi. 554—557. The letters in Froissart are very different from the real letters published by Rymer. That amusing writer collected his information from hearsay, and of course was frequently the dupe of ignorant or deceitful narrators.

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at arms were dispersed; their opponents attacked the Spaniards in flank; and Enrique mounting his genet, fled to Calahorra, and thence proceeded to his friend the king of Arragon at Valencia*. Six thousand of the enemy remained on the field of battle. The prisoners amounted to two thousand†, whom the sanguinary Pedro had prepared to immolate to his revenge. At the request, however, of the prince, a request which he dared not refuse, he pardoned them, with the exception of Gomez Carillo, accepted their homage, and proceeded to take possession of Burgos, which immediately opened its gates. In a few weeks deputies from the several provinces swore allegiance to their former sovereign: but he no sooner recovered his crown than he was harassed with the demands of his allies, which he had not the power, perhaps not the inclination, to satisfy. He amused the prince, however, with protestations of his good faith; persuaded him to put the army in cantonments in the neighbourhood of Valladolid, and promised to go to Seville and return thence by Whitsunday, with money sufficient to fulfil all his engagements. Whitsunday came; three more weeks were suffered to elapse, and still there was no intelligence of don Pedro. Edward began to be alarmed: he saw his army wasting away through the heat of the climate, and suffering through the want of provisions, and despatched a few knights to discover the king of Spain, and enforce his demands. They found him at Seville, and returned with an answer, which convinced the prince that no reliance was to be placed on the faith of the ungrateful Castilian. He immediately put his army in motion, and returned through the kingdom of Navarre into his own territories. Thus ended this glorious, but, as the sequel

June 6.

June 26.

* Rym. vi. 557. Knyght. 2629. Mur. 120. Froiss. c. 239. Du Guesclin paid 100,000 doubles d'or for his ransom. Thresor des Chart. 304. On a former occasion he had been taken by Sir John Chandos, and had then paid 40,000 francs d'or. Ibid.

† Wilkins, con. iii. 67

proved, most unfortunate expedition. The tyrant recovered his throne at the expense of his ally; and the prince returned to Bordeaux with an exhausted treasury, and a shattered constitution *.

The reader is aware that none of the renunciations stipulated by the peace of Bretigni had been hitherto made by either of the parties. With whom the blame should rest, it is now difficult to determine. By the French writers it is attributed to Edward, who had neglected to send his messengers to Bruges at the time appointed; and who perhaps wished to retain his claim to the French crown till he should see all the articles of the treaty faithfully executed. The English, on the contrary, accuse the insincerity of the king of France; and it must be confessed that there appears much in his conduct to require explanation. It was in vain that Edward demanded the arrears of the ransom of John, the return of the prisoners who had broken their parole, and the substitution of new hostages in the place of those who were dead. Every claim was artfully eluded. Charles seemed to wait for an opportunity of recovering the advantages lost by his father; and the circumstances of the time were of a nature to flatter him with the hope of success. The natives of the ceded districts, and even many among those of Guienne, loudly expressed their discontent under the government of the English, whose avarice monopolised every situation of profit, and whose arrogance claimed the merit of every successful engagement. The vigour, which had once distinguished the king, had begun to disappear, and a gradual decay with increasing years equally enfeebled his mind and body. The black prince, whose very name had formerly struck terror into every enemy, had brought from Spain a disease, which baffled the skill of his physicians, and reduced him to such a state of weakness that he was unable to mount on horseback. He had grown melan-

* Froiss. c. 240, 241.

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choly, and morose. Plunged by the bad faith of Pedro into an abyss of debt, he could neither defray the expenses of his court, the most magnificent in Europe, nor fulfil his contracts with the troops who had followed him into Spain. He removed "the companies," who began to plunder, by giving them a tacit permission to resume their depredations on the French territory, and, to satisfy the growing demands of his creditors, proposed to the states the imposition of a hearth-tax for the five following years. Several provinces cheerfully gave their consent: the count of Armagnac, and most of the lords whose lands skirted the foot of the Pyrenees, maintained that it would be a violation of their privileges. Necessity made the prince obstinate, and the discontented barons, repairing to Paris, appealed from the oppression of their immediate, to the protection of their superior lord, the king of France*.

A. D. 1368.

Charles by his wary and successful policy had obtained from his subjects the flattering epithet of "the wise." On the present occasion he acted with his usual caution. The appeal was neither received nor rejected; but he secretly assured the appellants of his protection, promised to indemnify them against the resentment of the prince, and under different pretexts detained them for twelve months in his capital. In the mean while he employed his brother the duke of Anjou, who had been appointed governor of Languedoc, to foment the discontent of the Poitevins, and despatched emissaries to tempt the fidelity of the lords and burghers in Ponthieu. An alliance was also concluded between him and don Enrique, who had again entered Castile with a fair prospect of success, and was actually employed in the seige of Toledo, the capital of the province. In return for the aid to be furnished to him by France, the Spanish prince engaged to enter as a principal into any war which Charles might wage against the king of England, particularly during

Nov. 20.

* Froiss. 242. 244.

the following spring. In a short time he was joined by
A. D. 1369. Du Guesclin at the head of two thousand knights, de-
Mar. 14. feated his rival in battle, and pursued the fugitive to the
Mar. 24. strong castle of Montiel. During the siege of that fortress, either by accident or treachery, the two brothers were brought into the presence of each other in the tent of a French knight: they immediately grappled; Pedro threw Enrique on the floor; but in the struggle Enrique despatched his adversary with a poniard. From that moment opposition ceased: Enrique mounted the throne a second time, and found himself at leisure to fulfil his engagement with the French monarch *.

At the appointed time Charles threw off the mask, and summoned the prince of Aquitaine to appear in his court and answer the complaint of his vassals. The
Jan. 25. young Edward replied that he would obey, but at the head of sixty thousand men; an idle vaunt, which he had never the power to execute. His father, more apprehensive of the result, seriously offered to renounce his claim to the French crown, and to the provinces of Normandy, Maine, and Anjou, on condition that Charles should equally renounce his right of sovereignty over the provinces now possessed by the king of England. The proposal was referred to the French peers, who advised their sovereign to reply by a denunciation of war.
May. Ponthieu, Poitou, and Guienne were immediately entered by hostile armies: the swords of the invaders were aided by the disaffection of the natives; and after a decent delay all the English possessions in France were annexed by a judicial sentence to the French crown. Conquest followed conquest; and at the end of six years Charles had not only recovered the districts lost by his father, but had also made himself master of the far greater part of Guienne.

* Rym. vi. 598. 622. In l'art de verifier les dates (i. 757.) we are told, que la pluspart des modernes sont dans l'erreur en rapportant la mort de don Pedre à l'an 1369; but the treaty mentioned above shows that they are correct; as it proves that he was alive on the 20th of *November*, 1368, and all the authorities agree that he was slain in the spring of the year.

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Edward, however, did not tamely surrender his transmarine dominions. He convoked his parliament, inveighed with bitterness against the perfidy of Charles, re-assumed the title of king of France, and offered to every adventurer the possession of such fiefs as he might conquer in that kingdom *. As a French fleet rode triumphant in the Channel, he ordered all his subjects between the ages of sixteen and sixty, without distinction of layman or ecclesiastic, to be arrayed for the defence of the country †. Reinforcements were sent to the black prince, and his brother the duke of Lancaster landed with an army at Calais: but Charles had forbidden his generals to hazard an engagement; and while the English pillaged the country, the French extended their conquests by the capture of towns and fortresses. The prince with his wife and son lay in the castle of Angoulême, a prey to disease and vexation, till he was roused from inactivity by the intelligence that the dukes of Anjou and Berri were advancing from different points to besiege him with their united forces. He declared that his enemies should find him in the field: his standard was unfurled at Cognac; and there was still such a magic in his name, that the French princes disbanded their armies, and garrisoned their conquests. Among these was Limoges, the capital of le Limousin, which had been surrendered by the cowardice, perhaps betrayed by the perfidy, of the bishop and the inhabitants. Edward, who had always distinguished them with particular marks of his favour, swore by the soul of his father, that he would punish their ingratitude or perish in the attempt. A month was spent in undermining the walls: early in the morning fire was put to the temporary supports; and at six o'clock a wide breach opened a way into the heart of the city. The inhabitants immediately

June 11. June 19. July 6. Nov. A.D. 1370.

* Rot. Parl. ii. 229, 300. 302. Rym. 621. 626.

† Rym. vi. 631. He previously asked the consent of the prelates in parliament, queux prelatz granterent de ce faire en eide du Roialme, et de seinte Esglise. Rot. Parl. ii. 302.

abandoned all hope of defence; and men, women, and children threw themselves at the feet of the prince soliciting mercy. It seemed as if the vindictive soul of don Pedro had been transfused into the breast of the English hero: no prayers, no representations could mollify his resentment; and orders were issued for the promiscuous massacre of the whole population. "There was "not that day," says Froissart, "a man in Limoges, with "a heart so hardened, or so little sense of religion, as "not to bewail the unfortunate scene before his eyes. "Upwards of three thousand men, women, and children "were slaughtered. God have mercy on their souls! "for they were veritable martyrs."

The French knights, who formed the garrison, eighty in number, drew themselves up with their backs to a wall, resolved to sell their lives as dear as possible; and the English, dismounting that they might be on the same footing with their opponents, advanced to the attack. The superiority of number was balanced by the courage of despair; and the prince, who from his litter was a spectator of the combat, felt so delighted with the prowess displayed by each party, that he offered by proclamation life and the liberty of ransom to those who might choose to surrender. The survivors gladly accepted the boon: the city was pillaged and reduced to ashes *.

The reader has often had occasion to admire the character of the black prince. By the contemporary writers he is portrayed as the mirror of knighthood, the first and greatest of heroes. But the massacre of Limoges has left a foul blot on his memory. Among a thousand similar instances it proves, that the institution of chivalry had less influence in civilizing the human race than is sometimes ascribed to it. It gave indeed to courage some external embellishments; it regulated the laws of courtesy; it inculcated principles, often erroneous principles,

* Froiss. iv. 94. 101—106. Murim. Cont. 125. Wil. Wyrces. 436.

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of honour; but the sterner and more vindictive passions were effectually beyond its control; and the most accomplished knights of the age occasionally betrayed a ferocity of disposition which would not have disgraced their barbarian ancestors of the sixth century *. But the military career of the prince was now terminated. The effort had exhausted his enfeebled constitution; and by the advice of his physicians he returned to England, where, at a distance from the court and from political concerns, he lingered for six years, cheering the gloom which hung over him with the hope that his second son Richard (the eldest was dead) would succeed to the crown, and uphold the renown of his family.

All the great military operations of the English during Edward's reign seem to have been conducted on the same plan, of penetrating into the heart of France, and staking the success of the campaign on the issue of a general battle. But the policy of his rival taught him to avoid an engagement. Sir Robert Knowles, at the head of the English army, was permitted to march at his pleasure through Picardy, Champagne, and Brie, to insult the walls of the capital, and to return to winter quarters on the borders of Bretagne †. On another occasion the duke of Lancaster with equal ease led his troops through the very centre of the kingdom, traversing Picardy, Champagne, Burgundy, and Auvergne, till he arrived in Guienne ‡. But such expeditions, though they inflicted severe calamities on the wretched inhabitants of the country, were attended with occasional losses, and gave the invaders no permanent advantage; while the French steadily pursued the same plan of dismembering the English territories, and of securing every conquest with strong fortresses and garrisons.

A. D. 1370. July.

A. D. 1373. July 20.

* I may add, that chivalry also generated and nourished a profound contempt for the other orders in society. The black prince spared the lives of the *knights*, who held Limoges against him; but shed with pleasure the meaner blood of the inhabitants three thousand men, women, and children!

† Froiss. ii. c. 16. 20.

‡ Murim. Cont. 128.

The only action of consequence during the war was fought between the English and Spanish fleets in the road of Rochelle. When Pedro, king of Castile, fell by the hand of his bastard brother, his two daughters, Constance and Isabella, resided in Guienne, whence they came to England, and were married to two sons of Edward, the former to the duke of Lancaster, the latter to the earl of Cambridge* The duke immediately assumed the arms and title of king of Castile, and don Enrique, convinced that the security of his crown depended on the success of the French, entered with greater cheerfulness into the war. The Spanish fleet lay before Rochelle, to intercept the succours, which
A. D. 1372. June 23. were expected from England under the earl of Pembroke, who during two days maintained the unequal contest. The ships of the enemy were of greater bulk, better prepared for action, and supplied with cannon; and the courage of the English served only to add to the magnitude of their loss. Not a sail escaped. The earl was taken: most of his ships, with the military chest, were sunk †.

In the year 1374 England retained of her transmarine possessions only Calais, Bordeaux, Bayonne, and a few places on the Dordogne. Edward, weary of this
A. D. 1375. Feb. 11. June 27. succession of disasters, obtained a truce, which at short intervals was repeatedly prolonged till his death. The pope continually exhorted the kings to convert the truce into a peace; but their resentments were too violent, their pretensions too high, to allow of any adjustment.
A. D. 1376. Mar. 12. Charles demanded the restoration of Calais, and the repayment of the sums which had been advanced as part of the ransom of his father: Edward spurned these conditions, and insisted that his adversary should renounce all claim to the sovereignty of Guienne ‡.

* They were both illegitimate; but don Pedro, after the death of Maria di Padilea took an oath that she was really his wife, and declared her daughters his heirs. Mariana, xvii. 6.

† Froiss. c. 34—36. Murim. Cont. 128. Wil. Wyr. 437.

‡ Rym. vii. 51 35. 68. 100.

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In the judgment of the people, an unfortunate, is always an incapable, administration. As long as the king was surrounded with the splendour of victory his commands were cheerfully obeyed, and his wants readily supplied by his admiring and obsequious subjects. But when his good fortune began to fail, they freely criticised the measures of his government, blamed his ministers, and with every grant of money wrung from him some new concession. The duke of Lancaster, who, during the illness of his elder brother, and the declining age of his father, had assumed the reins of administration, became the object of public hatred; and the prince of Wales, whether it were that he was jealous of the ambition, or really disapproved of the conduct of the duke, lent his name and influence to the opposition *. The parliament (it was long known among the people by the name of the good parliament,) coupled with the grant of a supply, a strong, though respectful, remonstrance. The commons, by the mouth of their speaker, sir Peter de la Mere, steward to the earl of March, enumerated the plentiful aids which the king had obtained from his people, and the immense sums which he had received for the ransoms of the two kings of Scotland and France; and asserted their firm conviction, that if the royal revenue had been faithfully administered, there could have been no necessity of laying additional burdens on the nation. They hinted that the present administration was unequal to the task of conducting the public business; and requested that ten or twelve new members might be added to the council. Though they did not venture to mention the duke himself, they impeached several of his favourites of extortion, of selling illegal grants, of raising loans for their own profit, and

April 28.

* This fact we learn from the continuator of Murimuth, a contemporary. (Quo principe extincto) psotinus extinctus est cum eo effectus parliamenti. Nam illi de communitate, cum quibus ipse *tenebat*, non sunt talem exitum dicti parliamenti sortiti, qualem pro meliori habuisse sperabant, p. 134. See also transcript of a contemporary chronicle, Archæol. xx. 215.

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of purchasing the king's debts at a low price, and paying themselves in full out of the treasury. The lord Latimer the chamberlain was expelled from the council for ever, and put under arrest; the lord Nevil was deprived of all his offices; and Richard Lyons, William Elys, John Peeche, and Adam Bury, farmers of the customs and of certain monopolies, were thrown into prison, and placed at the king's mercy *. The next object of prosecution was Alice Perrers, a married woman of distinguished wit and beauty, who had been lady of the bed-chamber to queen Philippa, and after her death had acquired so powerful an ascendency over the mind of the king, that she had obtained a grant of the jewels belonging to her deceased mistress †, and was allowed by him to dispense the royal favour. Confident in her own power, she affected to despise the indignation of the public. On one occasion at a tournament in Cheapside she appeared on a white palfrey, in splendid attire, as lady of the sun, and mistress of the day: on other occasions she abused her influence with the king to impede the due administration of justice in favour of those who had purchased her protection. To check the presumption of this woman, the following ordinance was made: "Whereas complaint "has been brought before the king, that some women "have pursued causes and actions in the king's courts "by way of maintenance, and for hire and reward, "which thing displeases the king, the king forbids "that any woman do it hereafter, and in particular "Alice Perrers, under the penalty of forfeiting all that "the said Alice can forfeit, and of being banished out of "the realm ‡."

June 8. While the commons were thus engaged in the work of reform, they suddenly lost their firmest support by

* Rot. Parl. ii. 322—329. † Rym. vii. 28.

‡ Rot. Parl. ii. 329. Murimuth (p. 134) says they petitioned that she might be removed from the king's person: Walsingham repeats the same (p. 189), and most modern writers tell us that she actually was removed. But it appears from the rolls that nothing more was done than is mentioned above.

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the death of the prince of Wales *. This event was deplored as a national misfortune: but the duke of Lancaster, if we may believe a contemporary chronicler, took the opportunity to propose that the succession to the crown should be settled on the heirs male of the king to the exclusion of females, a settlement which by passing over the line of Lionel his elder brother, would have rendered the duke himself the next heir after Richard of Bordeaux, then in his tenth year, the only surviving son of the black prince †. The commons refused their concurrence; and, as if they sought to mark the ambition of Lancaster, petitioned that the child might be introduced to parliament as heir apparent to the throne. Their request was granted. The archbishop of Canterbury presented the young prince to the two houses, calling him the fair and perfect image of his father, the successor to all his rights, and of course the apparent heir to the crown. The commons received him with acclamations of joy, and preferred another petition that he might be declared prince of Wales: but their eagerness was checked by the lords, who replied, that the grant of such honours "belonged not to "the prelates or barons either in or out of parliament, "but exclusively to the sovereign, who usually exer-"cised his prerogative on some great festival." They promised, however, to represent the wish of the commons to the king, and to support it with all their influence ‡.

June 25.

The power of the "good parliament" expired with the prince of Wales, and many of their petitions were now refused by the king. After the dissolution the new council of twelve was removed §: the duke of Lancaster resumed the chief place in the administra-

* He died at Canterbury, and was buried in the cathedral, where his tomb may be still seen.

† It has been published in Archæol. xxii. 212. I believe the statement, both because it explains the introduction of Richard of Bordeaux into parliament, and many occurrences in the next reign.

‡ Rot. Parl. ii. 330.

§ The king is said to have been irritated by the refractory conduct of the earl of Warwick, one of the number. Murim. Con. 135.

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tion, and his former partisans were restored to favour. They immediately wreaked their vengeance on their accusers. Sir Peter de la Mere, the speaker, who had made himself peculiarly obnoxious, was arrested under false pretences, and closely imprisoned in the castle of Nottingham or Newark; and William of Wickham, the celebrated bishop of Winchester, was accused of several misdemeanors in his office of Chancellor, and, without being heard, was condemned by Skipwith, one of the judges, to forfeit his temporalities, and to keep himself at the distance of twenty miles from the king's person. In the next parliament the majority of the commons was composed of the duke's creatures, who had been illegally returned by the sheriffs at his request; and his steward, sir Thomas Hungerford, was appointed the speaker. The court, however, found it a difficult task either to silence the members who had belonged to the last parliament, and who demanded the trial or liberation of sir Peter de la Mere; or to satisfy the prelates, who required justice to be done to their colleague the bishop of Winchester. To intimidate the latter the duke espoused the defence of Wycliffe, who had been summoned before the prelates on a charge of teaching heterodox tenets; and as the minority in the commons was supported by the inhabitants of London, threw out some hints of taking into the king's hands the liberties of the city. Accompanied by the lord Percy, whom he had lately made earl marshal, he attended at the trial of Wycliffe: but the injurious words which he addressed to Courtenay bishop of London excited considerable indignation, and the audience, rising in a tumult, declared that they would protect the prelate at the danger of their lives. The next morning the populace assembled, demolished the Marshalsea, proceeded to the Savoy, the duke's palace, and not finding him there, reversed his arms as those of a traitor, and killed a clergyman whom they mistook for the lord Percy. The bishop by his entreaties prevailed on these misguided

A.D. 1377. Jan. 27.

Feb. 19.

Feb. 20.

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men to retire to their homes: but the duke was not to be appeased by their subsequent offers of submission. The mayor and aldermen were deprived of their offices, which he immediately filled with his own dependents *.

The sitting of the parliament had been interrupted by this tumult. As soon as it was resumed, an aid was granted of a poll tax of one shilling on every beneficed clergyman, and of four pence on every other individual, male or female, above the age of fourteen years, mendicants only excepted; and in return the king published a general pardon for all trespasses, negligences, mis- Feb. prisions, and ignorances, because he had now completed 22. his jubilee, the fiftieth year of his reign †. The next Feb. day the commons presented seven bills for the reversal 24. of the judgments given in the last parliament, but before they could receive the royal assent an end was put to the session by a message from the king.

From this time Edward lived in obscurity at Eltham, abandoned to the care or mercy of Alice Perrers. As he daily grew weaker, she removed with him from Eltham to Shene, but kept him in ignorance of his approaching dissolution. On the morning of his death she drew the ring from his finger and departed. The other domestics had separated to plunder the palace: but a priest, who chanced to be present, hastening to the bed of the dying monarch, admonished him of his situation, and bade him prepare himself to appear before his Creator. Edward, who had just strength sufficient June to thank him, took a crucifix into his hands, kissed it, 21. wept, and expired ‡.

The king had been once married, to Philippa of Hainault, who died in 1369, and was buried at Westminster. She bore him a numerous family, seven sons

* Murim. Cont. 135—137. Wals. 190. 192. Stow, 273. 275.

† In the rolls it is said to be now his jubilee, the fiftieth year of his reign: yet it is certain that his fiftieth year expired in the preceding month. From this pardon the bishop of Winchester was excluded by name. Rot. Parl. ii. 364. In June, however, by the influence of Alice Perrers, to whom he made a valuable present, he obtained the restoration of his temporalties. Stow, 275. Rym. vii. 148.

‡ Walsing. 192.

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and five daughters; of whom three sons, and one daughter, survived him. His death happened in the sixty-fifth year of his life, and the fifty-first of his reign.

In personal accomplishments Edward is said to have been superior, in mental powers to have been equal to any of his predecessors. More than usual care had been bestowed on his education; and he could not only speak the English and French, but also understood the German and Latin languages. His elocution was graceful, his conversation entertaining, his behaviour dignified, but also attractive. To the fashionable amusements of hunting and hawking he was much addicted: but to these he preferred the more warlike exercise of the tournament; and his subjects, at the conclusion of the exhibition, often burst into transports of applause, when they found that the unknown knight, whose prowess they had admired, proved to be their own sovereign *. Of his courage as a combatant, and his abilities as a

* It is to Edward's partiality for these exhibitions that we are indebted for the celebrated order of the Garter. The date of its institution had been long a subject of doubt; but that question has in a great measure been set at rest by the accounts of the Great Wardrobe, from December, 1345, to January, 1349, which have lately been published by sir Harris Nicolas, with a very instructive memoir, in Archaeologia, xxxi. p. 1—163. Among the variety of articles delivered from the wardrobe for the use of the king and his guests, at different festivals and hostiludi, no mention is made of such an ornament as the garter before his return from France, in October, 1347; but after this, and in the next year, we meet with entries of a streamer powdered with blue garters; of a cloak, tunic, supertionic hood, and two jupons for the king, all powdered with garters, having buckles and pendants of silver gilt; of a bed for the king powdered with garters, having this motto, "Hony soit q. mal y "pense;" of twelve blue garters embroidered with gold and silk and having the same motto (ibid. 3. 34. 40); and, in another document, of twenty-four garters given by Prince Edward to the knights companions of the Garter,—militibus de societate Garterii.—Ibid. 160. Here we have, in 1348, all the elements required for the constitution of the order. It already existed, at least in an inchoate state. In 1450—we have no documents for the intermediate year—it had been fully established; for we then find the king, in company with the knights of the order, keeping the feast of St. George at Windsor on April 23rd, and the same again in the following year.

But these accounts throw no light on the question, why did Edward select the device of a garter, with the inscription, "Hony soit q. mal y pense," or "Shame to him that thinks evil therein?" We find that he varied his motto—dictamen regis—on many occasions. After his return from France we have, 1st, the motto just mentioned; 2nd, at Oxford, in the same year, the following, worked in his tunic and shield:—

"Hay, hay, the wythe swan,
By Gode's soule I am thy man;"

and, 3rd, a third, "It. is. as. it. is." worked on the border of his doublet, at his plays, on the feast of the Epiphany. Ibid. 34. 43, 44. Assuredly such fancies originated in accidental occurrences, too trifling in themselves to deserve the notice of history.

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general, the reader will have formed a competent opinion from the preceding pages. The astonishing victories, which cast so much glory on one period of his reign, appear to have dazzled the eyes both of his subjects and foreigners, who placed him in the first rank of conquerors; but the disasters which clouded the evening of his life have furnished a proof that his ambition was greater than his judgment. He was at last convinced that the crowns of France and Scotland were beyond his reach; but not till he had exhausted the strength of the nation by a series of gigantic but fruitless efforts. Before his death all his conquests, with the exception of Calais, had slipped from his grasp; the greater part of his hereditary dominions on the continent had been torn from him by a rival, whom he formerly despised; and a succession of short and precarious truces was sought and accepted as a boon by the monarch who in his more fortunate days had dictated the peace of Bretigni.

Still the military expeditions of Edward, attended as they were with a great expenditure of money and effusion of blood, became in the result productive of advantages, which had neither been intended nor foreseen by their author. By plunging the king into debt, they rendered him more dependent on the people, who, while they bitterly complained of the increasing load of taxation, secured by the temporary sacrifice of their money permanent benefits both for themselves and posterity. There was scarcely a grievance, introduced by the ingenuity of feudal lawyers or the arrogance of feudal superiority, for which they did not procure a legal, and often an effectual, remedy. It was not indeed a time when even parliamentary statutes were faithfully observed. But during a reign of fifty years the commons annually preferred the same complaints; the king annually made the same grants; and at length by the mere dint of repeated complaint and repeated concession the grievances were in most cases considerably mitigated, in some entirely removed.

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I. One of the most intolerable of these grievances was that of purveyance, which, in defiance of former enactments, continued to press heavily on the people. Wherever the king travelled, every horse and carriage within many miles on each side of the road was put in requisition for the conveyance of his suite, which seldom amounted to less, often to more, than one thousand persons. All these lodged themselves at discretion in the neighbourhood, exacted provisions from the inhabitants both clergy and laymen, and on many occasions wantonly destroyed what they were unable to consume. In the same manner purveyance for the king's table and household was made by his officers, wherever he stopped; orders were issued to different counties to supply his usual places of residence with meat, corn, forage, and every article necessary for the support of man and beast; and, as often as it seemed expedient, provisions were seized for the use of the royal garrisons, of the expeditions which sailed to the continent, and occasionally of the armies stationed in foreign parts. Nor was this privilege confined to the king, or the members of his family: it was often, though illegally, assumed by the great officers of state, occasionally by noblemen, whose power had raised them above the laws. Originally, indeed, it had been intended that in every case full payment should be made to the owners; but numberless frauds and extortions were practised by the purveyors, who took whatever they pleased, fixed the price themselves, and in consideration of presents burdened some to relieve others. Nor was it easy to obtain payment. Often the claimants were referred by the treasurer of the household to the sheriff of the county, and again by the sheriff to the officers of the exchequer: every demand was subject to the most jealous investigation; legal subtleties were employed to elude or delay payment; and the creditor was often compelled, after a fruitless pursuit for several years, to relinquish his claim through lassitude and despair. Edward to every remonstrance replied, that he would not surrender one

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of the most valuable rights of the crown, but that he was always ready to concur in any measures which might serve to lighten the burden of his subjects. By successive statutes it was enacted that the right of purveyance should be confined to the king, the queen, and the heir to the throne; that even *they* should provide their own horses and carriages; that the persons of their household should be billetted on the inhabitants by the officers of each township; that all disputes respecting the price should be decided by the constable and four jurors of the neighbourhood; that payment of small sums should be made within twenty-four hours, of larger sums in four months; that all infractions of these orders should be cognizable before the justices of peace; and that the transgressors should be treated as robbers and felons, according to the nature of the offence *. Thus a strong barrier was at last opposed to the extortions and encroachments of the purveyors: but the right itself was obstinately retained by succeeding monarchs, and three centuries elapsed before it was completely abolished in the reign of Charles II †.

II. Much also was done at this period to clear the administration of justice from the most revolting of the abuses with which it was polluted. It has already been observed that the king's courts were originally established more for the advantage of the monarch than of the people; and his officers acted as if they had been fully aware of this object. They seem to have thought that, if they could only pour large sums of money into the exchequer, they might enrich themselves and their dependents with impunity at the expense of the suitors.

* All these grievances with their remedies are repeatedly noticed in the Rolls, ii. 9. 12. 140. 161. 166, 167, 168, 169. 171. 203. 228, 229. 260. 269. 319. 446. The following account by the canon of Dunstaple of the purveyance for Edward, first Prince of Wales, during his stay at St. Alban's and Langley in 1294, will explain fully the nature of this grievance. Ducenta fercula per diem suæ coquinæ sufficere non valebant, et quicquid expendere(t) in se vel suis, non dato pretio capiebat. Ministri ejus omnia victualia ad forum venientia, et etiam caseum et ova et quidquid venale fuit, vel in domibus burgensium latuit non venale, auferebant, et vix cuiquam talliam reliquerunt. A pistoribus etiam et brasiatricibus panem et cerevisiam ceperunt, et non habentes panem et cerevisiam sibi facere compulerunt. Chron. Duns. 632.

† 12 Charles II. c. 24.

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The rolls of parliament are filled with complaints of their injustice; and many of the improvements which we at present enjoy are owing to the pertinacity with which the commons annually repeated their complaints. The sheriffs, coroners, and escheators were armed with powers which rendered them the tyrants of their respective counties. By repeated acts it was provided that they should be selected from the opulent landholders within the shire, and that they should no longer hold their offices in fee for a term of years, but be constantly removed at the expiration of twelve months; provisions which gave to the aggrieved the opportunity of meeting his oppressor on an equality in a court of justice, and secured to him a fund for the payment of any damages which might be awarded*. The conservators of the peace were gradually intrusted with additional powers; they were authorized to take sureties for good behaviour, were appointed justices to hear and determine felonies and trespasses, and were ordered to hold their sessions four times in the year†. Severe penalties were enacted against the "maintainers of false "quarrels," that is, those who lodged groundless informations, or suborned false witnesses, or conspired to retard the decision of litigated cases. To silence the complaint, and remove the temptation, of bribery in the judges, a competent addition was made to their salaries‡; and, as a check on the proceedings in the courts, it was ordained that all informations should be laid, and all pleas should be held, in the English, instead of the French, language§. This was a most valuable improvement. The parties in the cause, who before were ignorant of what was said in their favour or against them, could now satisfy themselves, whether their interests had been betrayed or defended; and, what was of still greater importance, the knowledge that the

* Rot. Parl. ii. 15. 229. 261. 355.

† Stat. of Realm, 258. 264-6. 283. 346. 388-9. Rot. Parl. ii. 271.

‡ Ibid. ii. 141. The salary of the chief justice of the king's bench was £40 per annum, of a puisne judge 40 marks. Dugd. Orig. Jurid. xl.

§ Ibid. 273.

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spectators understood the language of the proceedings operated as a powerful stimulus to fidelity in the advocate, and impartiality in the judge*.

Another improvement, the benefit of which is still felt by the inhabitants of these realms, was, the statute of treasons passed in "the blessed parliament," as it was called, in 1351. High treason is of all civil offences the most heinous in the eye of the law, which for that reason subjects the culprit to the utmost severity of punishment. Yet this crime was so loosely defined, that the judges claimed the power of creating constructive treasons, and frequently convicted of that offence persons whose real guilt amounted only to felony or trespass. Thus in the year 1347 a knight of Hertfordshire had confined a man in his castle, and detained him a prisoner till he paid a ransom of ninety pounds. This was a common practice at the time: but at the trial the offender was adjudged to suffer the penalty of treason, because he had "accroached," or drawn to himself the exercise of a power belonging to the sovereign. The decision created a general alarm; and the commons petitioned the same year that it should be declared in parliament what act constituted such an accroachment, as should deprive the lord of the advantage of the forfeiture, and the delinquent of the benefit of clergy. An evasive answer was returned from the throne, that the nature of such acts were sufficiently declared in the judgments themselves. But the commons persevered; and when in 1351 they granted an aid, they renewed their petition, and extorted a satisfactory answer. It was determined that treason should, for the future, be confined to seven offences; the compassing or imagining the death of the king, or of his

* In the statute itself it was, however, added, that though causes should be pleaded, shown, defended, answered, debated, and judged in English, they should be entered and enrolled in Latin. Statutes of the Realm, 375, 376. It is remarkable that the next parliament was opened in English. Rot. Parl. ii, 275.

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consort, or of their eldest son and heir; the violation of the queen's person, or of the wife of the king's son and heir, or of the king's eldest daughter not being married *; the levying of war within the realm, or the adhering to the king's foreign enemies, which should be proved by some overt act to the satisfaction of a competent jury; the counterfeiting of the great seal; the counterfeiting of the current coin of the realm; and the murder of certain great officers of state, or of the king's judges in the actual exercise of their duty. We should not, however, attribute this limitation to enlightened views in the legislature. It was probably owing to considerations of individual interest. For other transgressions, if the offender forfeited his lands, they reverted to the lord of the fee, of whom he held them: but in convictions for high treason the lands were for ever lost to the lord, and from that moment annexed to the crown. Hence it became an object to the king to give the utmost extension to the law of treason, and to the mesne lords to confine it within the narrowest limits †.

III. The people had now learned to appreciate the utility of frequent parliaments. These assemblies offered them protection from the insolence and extortion of the officers of the crown, and repeatedly procured for them the confirmation of their liberties from the sovereign. They "amended errors, removed abuses, and enforced "the execution of the new statutes, which, had it not "been for their vigilance, would speedily have fallen "into desuetude ‡." During the reign of the king's father the "ordainers" had appointed that parliament should be holden (not called) at least once a year: but

* Why was the legislature so anxious to guard the honour of the eldest daughter exclusively, and that only as long as she was unmarried? Probably that the king might not lose the opportunity of marrying her, and with it the aid which he had a right to demand of his tenants on that occasion. He could demand no aid at the marriage of his younger daughters.

† Rot. Parl. ii. 239.

‡ Pur maintenance de ditz articles et estatutz, et redrescer diverses mischiefs et grevances que viegnent de jour en autre—faire corrections en Roialme des erroures et fauxtees, si nuls y soient trovez. Rot. Parl. ii. 271 355.

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as the right of the "ordainers" might be questioned, this statute was re-enacted by legitimate authority, and frequent requests were made that it should be faithfully observed*. But Edward stood not in need of such admonitions: his wants perpetually compelled him to solicit the aid of his people; and more than seventy writs for the meeting of parliament were issued during the fifty years of his reign.

As every thing connected with the history of these assemblies must be interesting to an Englishman, I shall attempt to delineate the form which they assumed, and the manner in which they were conducted during this period. A full parliament consisted of the three estates, the clergy, the lords, and the commons. 1. The reader will recollect that the dignitaries of the church were summoned to appear in person, the chapters and inferior orders by their representatives; that they obeyed with reluctance; and that at length they succeeded in obtaining an exemption from the burden. There can be no doubt that, while they continued to sit with the lords and commons, they possessed the same authority as either of their co-estates†: nor do they appear to have forfeited it, even when they were suffered to exchange attendance in parliament for attendance in convocation. They were summoned, indeed, by the archbishop, but at the requisition of the king, and for the same purpose as the lords and commons. They were called together "to treat, consult, and ordain, "with respect to such matters as should be submitted "to them on the part of the crown," either by the king in person, or by the royal commissioners, "and to give "their advice, aid, and consent, to those measures "which should then be ordained for the defence and

* Stat. of Realm, i. 265. 374. Rot. Parl. ii. 271. 355.

† They attended, ad tractandum cum prælatis, magnatibus et aliis proceribus regni super negociis, pro quibus dictum parliamentum summonitum fuit, et ad consenciendum hiis, qual in eodem parliamento super negociis illis contigerit ordinari. Rot. Parl. i. 189.

"profit of the church and the state *." As, however, they sat in a different place, refused to interfere in civil enactments, and communicated with the king through the prelates, who were members of the house of lords, the word parliament soon came to signify, in common acceptation, the other two estates assembled by a royal summons to consult with the king.

2. The second estate, "the great men of the land, or "peers of the land"—so are they usually designated in the official documents of the age—were tenants by barony, or in chief of the crown. They were divided as now, into lords spiritual and lords temporal. At first the former amounted to a great number; for writs were issued to every ecclesiastic, who, in virtue of his benefice, held any portion of land in chief of the king. This to the less opulent proved an intolerable burden; for parliaments were often called twice or even thrice in the year, and holden in very distant parts of the kingdom. Hence in place of personal attendance they were accustomed to send excuses, or proxies, or attorneys, till so many by degrees obtained an entire exemption, that the lords spiritual were reduced to a few priors, several abbots, and the twenty bishops. The lords temporal, as in former times, were still denominated "the greater "barons †," a denomination which aptly distinguished

* Ad tractandum, consulendum et ordinandum super negociis prædictis, quæ vobis et illis ibidem plenius ex parte nostra exponentur, et suum consilium et auxilium impendendum, necnon ad consentiendum hiis, que tunc pro defensione et utilitate ecclesiæ et regni utrorumque, favente domino, contigerit ordinari. Rot. Parl. ii. 450. On this account the clergy are sometimes said to have been in the parliament, though they really sate in convocation; which makes it difficult to determine at what period they ceased to attend conjointly with the lords and commons. The last time in which their presence can be inferred with certainty from the rolls was the year 1332, when they refused to take into consideration one of the subjects proposed by the king, because it had no relation to the church. Rot. Parl. ii. 64.

† Les grauntz de la terre; les piers de la terre; magnates terræ; proceres terræ. Rolls and Writs, passim. Qui tiennent par baronie, et queux sont et seront somonez par brief. Rolls, ii. 368. When the abbot of St. James's without Northampton was summoned by writ, he pleaded successfully against it, que riens ne tient en chef du Roy ne par baronie. Parl. Writs, ii. div. ii. 199.

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those who had enfeoffed a great number of knights with lands in their respective baronies, from others, who could command the services of only two or three *. The first of these the king was *compelled* to summon; for without their attendance, or that of the major part of them, those who were present constantly refused to act, and prayed permission to wait for a full parliament. But, as he descended the scale, he was at liberty to follow his own judgment; and, whilst there was neither law nor custom to draw the exact line of demarcation between the greater and lesser barons, he could admit or exclude according to his own interest or pleasure. In the course of time, by the extinction of families, by alienations in consequence of sales, gifts, and bequests, by the partition of baronies among co-heiresses, and by the dismemberment of properties which by forfeiture or escheat had fallen to the crown, and had been granted out again in different proportions, it frequently happened that the lineal representatives of the former "great "men of the land" had descended from the high station once occupied by their ancestors, and that men of new families in comparison had risen on the scale of property and influence. Hence in the selection from these two classes the sovereign seems to have exercised his own discretion. Some of them we find to have been summoned only once, some oftener, some to every parliament during one particular reign, and some to every parliament during their lives. The same irregularity is observable with respect to their heirs, who in some cases are constantly summoned, in some occasionally, and in others never †. To account for all these anomalies

* Barones Majores. Parl. Writs, i. 1. ii. div. ii. 181.—Baronia Comitis Reginaldi, summa CCXV. milites. Baronia Simonis de Bello campo, XLIIII. mil. Walter Fitzwilliam, baro de Northumberland, iii. mil. See Lib. Nig. Scac. 131. 198. 329. No inference can be drawn from the addition of sire, monsire, and seigneur to the name, for we find all these occasionally given to the same person. See Rolls ii. 61. 65. 68, 69. 110. 112. 118.

† See the excellent remarks of Sir N. Harris Nicolas on "Baronies by Tenure," xvii. I will add one instance of the irregular manner in which

by the supposal of omissions in the lists on the part of the clerks, and of absence, sickness, or nonage on the part of the barons, offers a very unsatisfactory solution of the difficulty. The more reasonable conclusion is that the selection of members, with an exception perhaps in favour of the earls, depended on the pleasure of the sovereign; that the only qualification demanded was that they should be landed proprietors holding in chief of the crown, and that no man could claim a writ as of right, on the mere ground that he himself previously, or his ancestors before him, had possessed a seat in virtue of such writ in parliament.

In addition to the greater barons, the privy counsellors, the judges, and the chancellor with his clerks, were also summoned. Their attendance was required to aid in protecting the rights of the crown, and in deciding the numerous suits at law brought before the lords. There was indeed some difference in the form of the writ: for these were called "to advise and treat with "the king and the rest of the *council*," the barons "to "advise and treat with the king and the other *prelates* "*and great men*:" but, as far as may be deduced from the language of the rolls, several of them, the judges at least, sat, deliberated, and voted, as if they possessed equal authority with any other members of the house *.

3. The third estate, "the little men of the commons †," was composed of two orders, the knights of the shires, and the representatives of the cities and boroughs 1. The shires that returned members amounted only to thirty-six; for the counties palatine of Durham and

writs were issued. In 1311 Edward II. summoned a parliament to meet in August, and afterwards prorogued it to November. For each meeting writs were issued; for the first to fifty-five barons; for the second to thirty-eight. Of the fifty-five included in the first, thirty-three were omitted in the second; and eighteen were included in the second, who had been omitted in the first. Parl. Writs, div. ii. 38. i. 57.

* They were appointed on committees. Rolls, ii. 61. 113. They joined in the grant of money—est assentu et accorde par—et tous les justices de l'Engleterre, 103; and they gave their assent with the other lords to the petitions of the commons, 154.

† Les petitz de la commune. Ibid. 104.

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Chester, and the provinces of north and south Wales held parliaments of their own, the first under the presidency of the bishop, the others under that of their respective justiciaries *. The number of representatives from each county varied at first from two to four †, but was afterwards fixed by custom at two. These assembled together, and formed a body second only in importance to the greater barons. They were, the most of them, allied by descent or marriage to the first families in the land: they spoke in the name of their constituents, all the knights and free-tenants in their several counties; and hence their wishes, conveyed in the modest form of petitions, commanded attention and deference both from the house of peers and the sovereign. In every contest for the crown they were brought forward to bear the brunt of the battle; and it was to their courage and perseverance that the people of England owed the better part of their liberties. They were chosen, or appointed to be chosen in the county court; but from the moment that their importance became manifest, both the crown and the lords began to interfere in the elections, and sought to secure the agency of the sheriff, who, confident of impunity, often returned whom he pleased, sometimes returned himself ‡. 2. The representatives of the cities and boroughs were resident inhabitants elected by their fellow citizens and burgesses §. Their number varied annually; for the crown relied on the discretion of the sheriffs, and these officers, though they were careful to forward writs to the more opulent towns, admitted or excluded the others accord-

* Parl. Writs, i. 4. 390. ii. 510. App. 132. Occasionally representatives from Wales were summoned to the English parliament. Ibid. 364.

† In 1283 and 1294 four knights were summoned (Parl. Writs, i. 10. 26.), in 1290 two or three. (Ibid. 21.)

‡ Rolls, ii. 310. Stat. of Realm, i. 394.

§ Qi deivont eslire *de eaux meismes* tieles qi dievont respondre pur eux. Ibid. 368. Though the writ to the sheriffs of London required two only to be sent, sometimes as many as six were chosen: but the object appears to have been that two of them might always attend. Ita quod duo ipsorum semper sint parati. Parl. Writs, ii. div. ii. 359.

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ing to their own caprice or judgment*. This class of members, as it consisted wholly of merchants and tradesmen, was to the great men of the land an object of contempt. They had, however, the wisdom to make common cause with the knights; on every emergency they lent to the latter the weight of their number; and in the course of a few years the two orders were so blended together that every distinction between them was obliterated. Both were called to parliament under the same form of writ, "to consent to whatever might be "ordained by common advice;" both were empowered by their constituents to act in their name; of both at their election it was required that they should find sureties for their personal attendance, and should possess property within the county, to the end that the sheriff might be able to levy by distress the fines to which they should become liable for neglect of duty†; and both were entitled to a salary from their constituents for their time of service, from the day of their departure to that of their return. Their wages may be stated at four shillings per day for a knight and two shillings for a citizen or a burgess‡. Hence it happened that, whilst the more opulent boroughs were solicitous to send representatives to parliament, the poorer towns sought to escape that honour, that they might not be burthened with the expense. Several petitions to that purpose are still extant§.

The parliament was seldom opened on the very day mentioned in the writs: but its commencement was adjourned by proclamation till the majority of the mem-

* Brady on Boroughs, 310.

† See the returns of the members, with the names of their sureties, collected by Sir F. Palgrave in Parl. Writs. passim.

‡ The wages of the knights were raised by a county rate: those of the citizens and burgesses by a rate on their constituents. At first the writs ordered them to be paid their reasonable expenses at the rate usually allowed in similar cases: but after the year 1313, it grew by degrees into a custom to specify the sum in the writ addressed to the sheriff or mayor, which sum varied from 2*s.* 6*d.* to 5*s.* for the knights, and from 1*s.* 8*d.* to 2*s.* for the others.

§ Rolls of Parl. i. 327. ii. 459. Rym. vi. 502. 593.

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bers had arrived *. They met at an early hour in the morning †, and in the presence of the king, or, if his absence were unavoidable, in that of the regent or royal commissioner. One of the ministers, generally the chancellor, addressed them in a speech of some length, explaining the events which had occurred since the last session, enumerating the principal subjects proposed for their consideration, and displaying in strong colours the solicitude of the king for the peace and prosperity of his faithful people. Two committees and a clerk of parliament were then appointed. The duty of the committees was to hear and try the petitions which might be presented; of the clerk to record the transactions of the parliament, and to publish two proclamations in different parts of the city and suburbs. The first forbade any person besides the king's officers and the guards for the preservation of the peace to carry arms during the session; reserving, however, to the earls and barons the right of wearing their swords, except in the council and in the royal presence. The second prohibited in the neighbourhood of the palace every kind of game, likely to interrupt the free access of those who had business at the parliament ‡.

The opinion that the several estates sate and voted together derives no support from the language of the rolls. It is evident that as their grants, their petitions,

* Many of those summoned did not attend. Thus in the parliament which met at Carlisle on the 21st of January, 1307, of 10 earls, one was excused by the king, and one absent in Wales; of 76 barons and bannerets, two were excused by the king, three by the justices, one was in Wales, and two sent their attorneys; of 20 bishops, one was excused, 10 sent proxies; of 48 abbots one was excused, 32 sent proxies, and two engaged by letter to assent to whatever might be determined. The freeholders of Shropshire, instead of representatives sent an attorney, ad consentiendum pro eisdem hiis, que fieri contingerent in isto parliamento et ad faciendum ulterius, &c. Rot. Parl. i. 188—191. The chancellor examined the powers of the proxies and attorneys, and laid the names of the defaulters before the king, who had it in his power to punish them by fine. Ibid. i. 350. ii. 146, 147.

† At the hour of prime. Ibid. ii. 316. At eight in the morning. Ib. 321.

‡ Ibid. ii. 126. 135. et passim. The games consisted in throwing bars across the streets, pulling off the hoods or hats of the passengers, laying hold of them, &c. Ibid.

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and their interests were different, they would deliberate separately; and we find that the chancellor, after he had proposed to them in common the subjects for their consideration, pointed out to them different chambers, in which they should assemble to frame their answers, and decide on their petitions *. Occasionally they had no communication with each other. Thus in 1282 the representatives of the counties and boroughs south of Trent met the king's commissioners at Northampton, those north of Trent at York on the same day, and both granted him a thirtieth, on condition that "the great "men" should grant an equal sum. In 1360 the commons were divided into five different bodies, deliberating at the same time in five different places, Westminster, Worcester, Taunton, Lincoln, and Leicester †. In fact, there was at first no great reason why the several estates should be in communication with each other; for the clergy confined their attention to the concerns of the church; to the lords were submitted the higher interests of the state; and the commons were employed in matters of trade and commerce, as best suited to their habits and condition of life. It was long before the advice of the latter was required by the crown; and when Edward at last condescended to ask it, the sequel proved that it was to obtain a pretext to call upon them for money. They could not, he afterwards observed, refuse to aid him in the prosecution of those plans into which he had been led by their advice. Taught by experience, they sometimes declined the task. In 1347 he requested their opinion, and received the following answer: "Most dread lord, "as to your war and the array of your army, we are "so ignorant and simple that we cannot give you advice.

* Parl. Writs, i. 10. 12. New Rym. iii. 468.

† Ibid. 136. 165. The year assigned for their separation is 1339, when the commons refused to grant the same aid as the lords without instructions from their constituents. But it is evident that at that very time they deliberated separately (Rot. Parl. ii. 104): and we find them deliberating separately long before. Ibid. 64. 66. 69.

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"We therefore beg your gracious lordship to excuse us, "and with the advice of the great men, and of the sages "of your council, to ordain what you may judge to be "for your honour and the honour of your kingdom; and "whatever shall be thus ordained with the agreement "and consent of you, and of the great men aforesaid, "we shall also approve, and hold to be firm and esta-"blished *."

In the language of the time the law was said to emanate from the will of the king, at the petition of the subject. But it seems to have been a principle universally recognised, that no one estate could, without its consent, be bound by any such law granted at the prayer of another. Before the dismissal of the parliament † the king called the members before him: the petitions of the clergy, the lords, and the commons were successively read; and the answers were given, which had been previously settled in the council. If the object of the petition was confined to the interests of the body which petitioned, the grant of the king was deemed sufficient: but if in any of its bearings it could affect the other estates, their assent was also required. In what manner they gave their assent is unknown. Sometimes perhaps it was procured by previous communication between the different bodies; sometimes it might be signified by acclamation before the king. It should, however, be observed that the clergy, in pursuance of their resolution to abstain from all interference in secular matters, seldom, perhaps never, gave their assent

* Ibid. 165. To give answers, and deliver addresses it was necessary to appoint a speaker. It has been said that Sir Thomas Hungerford is the first upon record. In 1377 he avoist les paroles pur les communes. Ibid. 374. But sir Peter de la Mere preceded him immediately, and sir William Trussel thirty-four years before. Ibid. 136.

† The two houses were often dismissed at different times, as soon as they had finished the business allotted to them. Sometimes the knights of shires were dismissed, and the citizens and burgesses were detained. Ibid. 64. 69. 310. The form of dismissal seems to indicate that they were still liable to serve again when called upon. Rot. Parl. i. 159. There are also instances in which they were required to attend a second time. Brad. i. 152. 157.

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to the petitions of the lords or commons. If they found themselves aggrieved, they prayed for redress in the next parliament.

The principle which has just been described was the chief weapon with which the commons fought all their battles. To every unjust imposition, every oppressive ordinance, they opposed the unanswerable argument that their assent was necessarv to render it legal. In 1346 Edward, by proclamation, compelled every owner of land to furnish horsemen and archers in proportion to his estate, and required for the same purpose a certain sum of money from every city and borough. The commons petitioned against the ordinance, on the ground that it had been issued without their assent. Edward replied, that it was a measure of necessity, and had been adopted by the advice and with the consent of the lords. They renewed their petition, and repeated their argument. The king promised that the ordinance should not form a precedent for future exaction. Still they were not satisfied, but added remonstrance to remonstrance, till it was at last enacted that ordinances of that description, issued without the common consent of parliament, should be deemed contrary to the liberties of the realm*. In the same spirit they required and obtained a declaration that no petition of the clergy should be granted till the council had ascertained that its provisions would not be prejudicial to the rights of the lords or commons†. But when they asked in addition that no statute or ordinance should be made at the prayer of the clergy without the previous assent of the commons, stating as a reason that the clergy would observe no statute made without their assent and at the sole prayer of the commons, the request was dismissed with a qualified refusal‡.

* Brad. i. 160. 166. 170. 239. † Ibid. 149.

‡ Ibid. Hence perhaps we may infer that the clergy did sometimes give their assent to the petitions of the commons: but no trace of such practice appears on the rolls.

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The reader, however, is not to suppose that because the petition was granted the object of the petitioners had been obtained. Much still remained to be done. It was first to be moulded into the form of a statute or ordinance by the clerks in chancery, and then to be sent by royal authority to the judges, sheriffs, coroners, and other royal officers, that it might be published in all courts, fairs, and markets *. But the king, satisfied with the aid which he had obtained, dismissed the parliament, and thought little of the petitions which he had granted. Sometimes they were entirely forgotten; at others they were formed into statutes, but never published; often they were so altered in the principal provisions as not to reach the grievance which they were originally designed to abolish. As a remedy for this abuse, the commons began to require that the more important of their petitions should be put into proper form, and published during the parliament in the presence of the king, and before the two houses. They could then appeal to them as matters of record; and if they were not observed by the royal officers, could inquire into the cause in the next session †. To this petition, though it seems to have been acted upon, no answer appears on the rolls. It was at the best an inadequate remedy; and the commons had yearly to complain that though statutes were made, they were seldom carried into execution ‡. The king moreover claimed the right of amending them afterwards, with the advice of his council §. But a check was given to the exercise of this claim in 1354. The ordinances of the staple were then confirmed in parliament; and at the same time it was

* Stat. of Realm, i. lxxxvi. 25. Originally the terms, statute, constitution, establishment, provision, and ordinance, were used indiscriminately: in later times we meet occasionally with a distinction between ordinance and statute, as if the first were only of local or temporary, the latter of general and perpetual obligation. Many statutes were at first passed as ordinances for an experiment of their utility, and afterwards enacted as statutes. Ibid. 252. 280.

† Ibid. 165. 201. ‡ Ibid. 265. et passim. § Ibid. 241.

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enacted that no alteration or addition should be made in time to come without the assent of the two houses *.

The commons, from their situation in life, were best acquainted with the wants and the grievances of the nation; and while they were employed in originating new statutes, or soliciting the execution of the old, the lords, according to ancient custom, devoted themselves to the exercise of their judicial duties, compromising the disputes among their own members, examining the cases of individuals who complained of oppression, and determining those points of law, on which the judges had not dared to pronounce of their own authority in the king's court. The number of petitions on these subjects, presented in the more early parliaments, is enormous; towards the close of Edward's reign they seem to have diminished. But in 1372 a singular species of fraud was discovered. Attorneys and barristers practising in the courts of law procured themselves to be returned knights of the shire, and improved the opportunity to introduce the cases of their clients among the petitions, which were presented to the king in the name of the lower house. To correct the abuse, it was enacted that no practising lawyer should for the future be chosen knight of the shire, and that if any such lawyer had been returned for that parliament, he should forfeit his wages †.

But besides these legislative assemblies of the three estates, the king was accustomed to call occasionally a great council, of certain prelates and barons, or of prelates, barons, and knights. It was not that any ordinance emanating from such meetings could possess the full force of law; but the king pretended a wish to avail himself of their advice, whilst, generally at least, he sought to obtain their previous consent to some measure in contemplation, that he might thus incur a less share of public odium, and secure to himself the sup-

* Stat. of Realm, 257. † Ibid. 310.

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port of a powerful party. Nor did he confine himself to councils of the higher classes of his subjects. We meet with several composed of ship-owners and mariners, of tradesmen and merchants, of inhabitants of the marches and the sea coast, either summoned individually by name, or returned in obedience to the royal writ by counties, cities, and boroughs, for the purpose of advising with the king, or the king's commissioners on matters with which they were supposed to be particularly conversant *. The following are two singular instances of this practice. 1. Edward I., after the subjugation of Scotland in 1296, resided for a considerable time at Berwick, where he formed the design of rebuilding that town on a new plan, with the hope that it would quickly grow into a great and opulent mart. With this view he ordered the mayors and bailiffs of the trading towns in England to proceed to the election of deputies, "the most competent to devise, dispose and "arrange a new town for the greater benefit of the king "and of the commerce of the kingdom;" and to send to him the persons elected in a state of readiness to proceed further on his service. They met him at Bury St. Edmunds; and the result was, that he issued new writs to twenty-nine individuals by name, to resort to him in the first week of the new year for the same purpose, in whatever part of England he might be found, and then compelled them to proceed to Berwick immediately after Easter. 2. In 1303 a proposal had been submitted to him for raising the amount of the customs without application to parliament. For this purpose the lord mayor received an order to send to the king two or three deputies from each of the ten companies of foreign merchants settled in London, to whom he offered certain additional privileges in return for the payment of higher duties on imports and exports: and they, (for their existence in England depended on the royal plea-

* Stat. of Realm, i. 455. ii. 107. 120. 456. Rym. v. 232. 405. 548. vi. 639.

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sure) were thus induced to assent to conditions which they dared not openly oppose. It now remained to try the experiment on the native merchants, who, it was not doubted, would follow the precedent set them by the foreigners. Writs were issued to the sheriffs, stating that the king had been given to understand that his subjects engaged in trade were desirous to obtain the privileges granted to foreigners, on the same terms which had been accepted by the latter; and commanding them to send for that purpose to the exchequer at York two representatives from every city and borough within their respective counties. But Edward was disappointed. The merchants assembled in council, encouraged each other to resist; and returned an unanimous answer, that they would not consent to any increase of the maltolte, or to the levy of any new duties, or to the payment of any but the ancient customs *.

IV. The reader will recollect the concession, which was extorted from the necessities of the first Edward by the firmness of archbishop Winchelsea, and the earls of Hereford and Norfolk. From that period it became illegal to levy an aid, or impose a tallage by the sole authority of the sovereign. Neither of his successors was disposed to recognise a statute which made them dependent on the bounty of their subjects; nor did they hesitate occasionally to raise money in defiance of its provisions. But, if the wars of the third Edward were in many respects calamitous both to foreigners and natives, in one they proved highly advantageous to the people of this kingdom. They compelled him annually to solicit an aid: on the one hand, the jealousy with which the two houses viewed his claim of imposing tal-

* Parl. Writs, i. 49, 50. 134, 135. Rot. Scot. i. 39, 40. We occasionally meet with the mention of a mercantile officer called mayor of the staple or of the merchants, who were chosen by deputies from the principal trading towns, summoned by writ, out of several names presented to them by the king. Parl. Writs, ii. App. 287. This officer was sometimes commissioned by the king to confer with the council of merchants in his name. Parl. Writs, ii. 196.

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lages induced them to be more liberal in their grants; on the other their liberality rendered him less anxious to exercise his claim; and thus, during the course of a long reign, was firmly established the *practice* of what before was the *law*, the right of the people to tax themselves. Edward, to defray the enormous expenses of his wars, had recourse to every expedient which the ingenuity of his ministers could devise. Sometimes he pawned the jewels of the crown; frequently he extorted forced loans or gifts from the most opulent of the clergy *; once he seized all the tin, which had been wrought during the year in Cornwall, giving to the owners security for the payment at the end of two years †. On none of these occasions does the parliament appear to have interfered: but, when in 1332 he imposed on all cities, boroughs, and ancient demesnes of the crown, a tallage amounting to a fifteenth of the movables, and a tenth of the rents, the two houses granted him a legal aid, on condition that the tallage should be withdrawn ‡. In 1339 he renewed the maltolte, the tax on wool, which had raised so loud an outcry against the tyranny of his grandfather. Both lords and commons petitioned against it, because it had been imposed without their consent, and it was enacted by statute, that after the expiration of two years no more than the ancient duty should be levied. But Edward three years later having secured the concurrence of the lords, assembled a council of merchants, and obtained from them the grant of forty shillings on every sack of wool which should be exported. It seems to have been contended that this duty did not concern the commons, because it would fall on the foreign purchaser:

* See for forced gifts from forty shillings to 100 pounds, Rym. iv. 543—553. 563.—For a forced loan of 7000*l.* Id. v. 347.—Another of twice that amount, Id. v. 491, 492.—A third, Id. v. 577. 583. The lenders received letters patent empowering them to demand and receive the amount of their respective loans out of the customs on wool and hides exported from various parts named, sometimes from whatever port they chose.

† Id. v. 39. 'All who refused, or concealed their tin, are termed rebels in the writ, and ordered to be punished with imprisonment and forfeiture.

‡ Rot Parl. ii. 66. 446, 447.

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but they took the first opportunity to remonstrate, on the ground that it actually fell on the grower, as the merchant now refused to give the accustomed price, on account of the additional duty. Edward, however, was resolute. He replied that the duty was mortgaged to his creditors, and must continue; but that, as it had been granted for two years only, he would not revive it*. Indeed, nothing could induce him to renounce in express terms the right which he claimed. When he revoked the tallage mentioned above, he promised never to impose another, "except in the manner that had been "done by his ancestors, and as he might reasonably do." And within a few weeks of his death, to a request, that no common aid or charge should be imposed without the assent of the two houses in full parliament, he replied that it was not his intention to do it, unless in time of great necessity, for the defence of the realm, and when it might reasonably be done†.

1. The most ancient method of raising a supply was by a tallage on movable property, varying according to circumstances from a fiftieth to a seventh, and descending from the highest classes down to the villeins: and it is interesting to observe how rapidly the art of taxation improved in every succeeding reign. Under John each individual was permitted to swear to the value of his own property, and the bailiffs of prelates, earls, and barons, swore in the place of their lords. The oaths were received by the itinerant justices, who for that purpose proceeded regularly from hundred to hundred; and according to the returns of the justices the tax in its due proportion was levied by the sheriffs‡. By Henry III.

* Rot. Parl. 104, 105. It was continued in all five years from 1343 to 1348. Ibid. 140. 161. 201. In their grant of the last year the commons added as two conditions, that it should cease entirely at Michaelmas, and that in time to come no imposition, tallage, or charge by loan, or in any other manner should be made by the king's privy council without their grant and assent in parliament. Ibid. † Ibid. 66. 366.

‡ Rot. Parl. 72. anno 1207. This is the most ancient form known. If a man concealed, or removed his goods, or swore to a lower value, he was imprisoned, and the goods were forfeited.

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every man was compelled to swear not only to the amount of his own movables, but to that of the movables belonging to his two next neighbours; and, if the accuracy of his statement was disputed, the truth was inquired into by a jury of twelve good men of the county. The commissioners were not the justices, but four knights appointed by the justices; and they were instructed to inquire into the value of every species of personalty with the exception of church-ornaments, books, horses, arms, gold, silver, jewels, furniture, the contents of the cellar and larder, and hay and forage for private use. Under the Edwards the commissioners were appointed immediately by the crown. They called before them the principal inhabitants of each township, and bound four, six, or more of them by oath to inquire into the value of the movables possessed by each householder on the day mentioned in the act, which was generally the feast of St. Michael. By movables they were to understand not only corn, cattle, and merchandise, but money, fuel, furniture, and wearing apparel; and if any such articles had been sold, removed, or destroyed, since the day specified, they were yet to include them in the amount. The exceptions allowed were few. The knights and esquires did not return their armour, horses, or equipments, their plate of gold, silver, or brass, their clothes or jewels, or those which belonged to their wives; and persons of inferior rank were exempted from payment for one suit of clothes for the husband, and another for the wife, one bed, one ring, a clasp of gold or silver, a silk sash or girdle for daily use, and a cup of silver or porcelain. It is evident that in these inquiries, as the temptation was great, so also were the means of concealment. But the ingenuity of the commissioners kept pace with the artfulness of the defaulters: each year new regulations were issued from the exchequer; and sometimes within a short period the amount of the tax from

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the same township was nearly doubled*. This growing evil occasioned numerous remonstrances. The people complained that the collectors entered their houses, and searched every apartment†; that they defrauded the king, and that they received bribes to spare some, while at the same time through pique and resentment they aggrieved others. In 1334 the parliament had granted a tenth from the cities, boroughs, and ancient demesnes, with a fifteenth from the rest of the kingdom; and Edward, to remove all cause of discontent, appointed commissioners in every county with powers to compound at once for a certain sum with the several townships. The arrangement gave universal satisfaction. In subsequent years the subsidies were calculated from the compositions of 1334; and the different quotas were raised by private assessments among the inhabitants themselves‡.

* Rot. Parl. i. 227. 239—242. 450, 451. ii. 447. New Rymer, i. 177, et passim. Parl. Writs, passim. Dunst. 235. 477. The assessments for the borough of Colchester in the years 1296 and 1301 are still extant. (Ibid. i. 228—238. 243—265.) The reader will see how expert the commissioners had become in the short space of five years. The following instance is taken at random: but the same difference is observable in all. The value of the movables of William Miller:—

At Michaelmas, 1296:

	s.	d.
1 quarter of wheat	3	6
1 ditto of oats	2	0
1 pig	2	0
	7	6

At Michaelmas, 1301:

	s.	d.		s.	d.
Money	13	4	A seat	0	4
A silver clasp	0	9	A quarter of wheat	4	0
A ring	1	0	Ditto of barley	3	0
A suit of clothes	10	0	2 ditto of malt	4	0
A bed	3	0	2 hogs	10	0
A mappa	0	9	2 pigs	3	0
A towel	0	6	1 lb. of wool	3	0
A pot of brass	2	0	Faggots	2	6
A dish ditto	1	0			
A cup ditto	0	8		£2	3 4
Andirons	0	6			

† In the returns are carefully mentioned the very rooms in which the different articles were found. Ibid.

‡ Ibid. ii. 447, 448. This was effected by inserting in all subsequent grants a condition, that the subsidy should be levied in the same manner as the last, and without increase. A lever en la manere comme la darreine quinzismes feust levee, et ne mye en autre manere. Ibid. 148. Saunz nul encresce. Ibid. 159.

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2. But in addition to tallages the financiers of the age had discovered several other methods of raising money. The duty on the exportation of wool and hides furnished a plentiful source of revenue. By ancient custom the king's officers levied in the outports half a mark on every sack of wool, the same sum on three hundred wool-fells, and a whole mark on the last of hides *. But Edward, by the illegal imposition of the maltolte, had proved that these articles could bear a considerable increase of duty, which would fall, it was contended, not on the native merchant, but on the foreign consumer; and, when the second war with France demanded extraordinary exertions, the custom was annually raised by parliamentary authority, till in the course of seven years it had reached fifty shillings on the sack of wool, the same sum on twelve score wool-fells, and five pounds and a mark on the last of hides †. 3. In addition, the king also received the duty afterwards known by the appellation of tonnage and poundage, of two shillings on every tun of wine imported, and of sixpence on every pound of goods imported or exported. It was granted, on condition that he should keep a fleet at sea for the protection of commerce, and was at first voted from year to year, not by the two houses of parliament, but by the citizens and burgesses, who alone were concerned in the pursuits of trade ‡. Soon, however, it was discovered that the new duty, as far as regarded imports, was paid in reality by the consumers; and the lords and commons, instead of petitioning against it, as they had done

* To give an advantage to the English over the foreign merchant, wherever the former paid a mark, the latter paid a pound. Ibid. 273.

† Foreigners instead of 2*l.* 10*s.* paid 3*l.* 6*s.* 8*d.*—and instead of 5*l.* 13*s.* 4*d.* the sum of 6*l.* 6*s.* 8*d.* (Ibid. 300.) The sack of wool contained 26 stone, or 364 pounds. (Ibid. 142.) It differed greatly in quality and price. In 1343 the parliament raised the price 50 per cent., when the best wool, or that of Shropshire and Lincoln, sold at 14 marks the sack, exclusive of the duty, and the worst, or that of Cornwall, at no more than 4 marks. Ibid. 138. Hence it appears that there is a mistake in the estimate of the goods of William Miller mentioned before. Probably for 1lb. we should read 1 stone—petra not libra.

‡ Ibid. 310.

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against the maltolte, made it legal by granting it themselves*. 4. In 1371 the clergy voted a supply to the king of fifty thousand pounds, to be levied on their benefices; and the laity an equal sum, to be raised by assessment on the different parishes. Taking the number of parishes to be forty-five thousand, it was calculated that the charge on each would amount to the average sum of twenty-two shillings and threepence. The parliament was dismissed: but, when the returns were made, it was found that the number of parishes was not much more than eight thousand six hundred, and the sum raised would not exceed ten thousand pounds. To repair the error the king summoned a great council, composed of a certain proportion of lords and prelates, and one of the two members, who sate in the last parliament as representatives of each county, city, and borough. In the writs which he issued on the occasion, he named the persons, whose presence he required, and observed, that if he did not summon a full parliament, it was to relieve his people from a part of the additional expense. This council acted, however, with all the authority of a legitimate parliament. The returns of the bishops and sheriffs were examined; a new calculation was made; the rate was raised to one hundred and sixteen shillings per parish; collectors were named by the knights of the shires; and over them were appointed surveyors to inspect their proceedings, †. It is singular that an assembly, consisting of the most intelligent persons in the kingdom, should have adopted so erroneous a calculation: but the fact may teach us to doubt the accuracy of some of their other statements, respecting the overgrown opulence of the clergy, and the enormous sums said to be drawn from England by the court of Rome.

V. By these and similar expedients the king was enabled to maintain the armies, which were so long the

* Ibid. 317

† Rot. Parl. ii. 304. Brady, i. 161.

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terror of France, and which raised to so high a pitch the military renown of the nation. The feudal constitution, as it had been settled by the first William, was adapted to the purpose of defence, but unfavourable to projects of conquest. The king could indeed summon to his standard all the male population of the country, but the exercise of this right was lawful only in actual danger of invasion: he could also compel his tenants to follow him to foreign war with a number of horsemen proportionate to the number of knights' fees which they held of the crown: but the obligation of service was limited to forty days, too short a space for operations which were to be conducted on a great scale, and in a distant country. Hence former kings, in their wars in France, had been willing to accept of pecuniary aids instead of personal attendance, and to raise armies of mercenaries both from their own subjects and foreign adventurers. The passion for the crusades gave a wider extension to this system; which was again restricted as the crown grew more and more impoverished under Richard, John, and Henry III. The Edwards appear to have followed no uniform plan, but to have raised their armies in such manner as circumstances suggested. Sometimes they acted with, sometimes without, the previous advice of their parliament. Occasionally they issued letters to their military tenants, soliciting their services as a favour rather than a duty, and *praying* them to bring into the field all the force which it was in their power to raise *. On other occasions they *summoned* them to join the royal standard on a certain day, with a denunciation of punishment against the defaulters. The writs were intrusted in the first place to the care of the sheriff, who sent a copy to each individual in the county, holding by barony of the crown, and for the information of the lesser tenants ordered proclamation to be made in all the courts, fairs, and markets †. The laity were com-

* Rym. ii. 783. iii. 531.

† Rym. iii. 562.

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manded to attend personally, and to bring with them the number of men specified in their tenures, with an exception in favour of the aged and infirm, who were permitted to serve by substitutes * ; the clergy and females received orders to send the whole service which they owed ; and both were generally excused, if they preferred to pay the accustomed fine, sometimes of twenty pounds, sometimes of forty marks for each knight's fee †. It was the duty of the constable and marshal to array them as soon as they arrived, and to take care that no fraud was committed in the number of men, or the state of their equipment ‡. But in addition to these two methods of raising forces, in the wars for the subjugation both of Scotland and France, mercenary armies were requisite; and we find the king entering into contracts for voluntary service with barons and knights, who engaged to furnish a certain number of men during a given period. Their wages, which were to be paid a quarter of a year in advance, must appear enormous, if we consider the relative value of money in those and the present times: eight shillings or six and eightpence per day to an earl or baron, four to a banneret, two to a knight, one to an esquire or man at arms, and sixpence

* Intersitis cum servitio nobis debito. Rym. ii. 73. Qui ad portandum arma potentes non existunt, tales ad diem et locum prædictos ad servitium suum nobis debitum pro ipsis faciendum transmittant, quales ad illud faciendum ydoneos esse constat. Rym. ii. 75.

† Dictis die et loco habeatis servitium nobis debitum paratum ad proficiscendum nobiscum. Ibid. p. 74. 76. See also ii. 650. 767. iii. 148. 464., Parl. Writs, i. 155.

‡ Several of these muster rolls still exist, and the comparison of them with the black book of the exchequer will show that the knights' service owing from the *great barons* to the crown had diminished since the reign of Henry II., in the proportion of at least ten to one. This may have been caused partly by the dismemberment of the immense property held by some of the more ancient barons, partly by a custom adopted by the king of retaining for the crown immediately the service of the knights, when he gave away the lands which had fallen into his possession. This, however, could hardly have been the cause of the same diminution in the baronies attached to bishoprics and abbeys. Thus the bishop of Lincoln, in the reign of Henry II., owed the service of 60 knights, the bishop of Bath and Wells that of 20 (Lib. Nig 263. 87.); but in the reign of Edward I. the former owed only the service of five, the latter of two. Parl. Writs, i. 197. 228.

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to an archer on horseback. The horses were valued as soon as the men joined their standard; and if they perished during the campaign, were to be replaced or paid for by the king. It was stipulated that prisoners, whose ransoms did not amount to five hundred pounds, should remain with the captors; and that all others should be yielded to the king for a reasonable consideration *.

The duties of the military tenants of the crown could be easily ascertained from their tenures, and to have exacted from them services to which they were not obliged, might have proved a dangerous experiment. But the liberties of the lower orders were ill defined: their resistance was less to be feared; and from them the king purveyed men for his armies with as little ceremony as he took provisions for his household, or provender for his horses. On the principle that whoever had taken an oath of fealty to the king was bound to risk his life in the defence of the country, they had been divided into classes according to their respective property, were compelled twice in the year to appear completely armed before the constables of the hundred, and might at any time be called out and arrayed by officers appointed by the king †. It was indeed understood that they were not to be marched out of their own county except in case of invasion: but pretexts were easily invented to excuse or justify the violation of that privilege. Whenever an army was wanted for the invasion of Wales or Scotland, they were told that it was better to fight in the territory of the enemy, than to wait till that enemy had crossed the borders, and lighted up the flames of war in their own country. Soon the same reasoning was applied to the expeditions against France. The French it was said had conspired to abolish the English name; they had already entered the king's territories on the continent;

* See the indentures, and orders for payment in Rymer, v. 325. 327. 330. 450. 545.

† Under the penalty of culvertage (culvert a turn-tail) that is, perpetual slavery. Matt. Paris, 196. Rym. iv. 687.

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they were preparing to land a powerful army in England; if then the king's lieges wished to save themselves from subjection, they must cross the sea, and inflict on the enemy the very calamities with which they had been threatened *. On such occasions, however, it was necessary to make a selection: otherwise the multitude of the combatants must have produced scarcity, insubordination, and defeat. Sometimes all the men of a few counties contiguous to the scene of war were called out †; more frequently a certain number was demanded; and officers were appointed to choose the strongest and the most opulent in each class ‡. In 1282 Edward ordered the sheriffs to send to the army in Wales every man, whose income was rated at more than twenty pounds per annum §: in 1297 he summoned all of the same class to join him on horseback, and accompany him in his expedition to Flanders ‖. Edward II. in 1324 sent commissioners into every county with the most ample powers to raise forces for his intended expedition against France. They were empowered to inquire, with the aid of a jury, or by any other means, the names of all the men at arms within the shire; to array all without exception whom they judged proper for the service; and to send a faithful return of every particular to the officers of the royal wardrobe. At the same time it was made known by proclamation, that if any person were convicted of having offered a present to the commissioners, he should forfeit eighty times, the receiver one hundred and sixty times, its value ¶. In like manner when Edward III. in 1346 prepared for the expedition

* Among many instances, see Rym. v. 489. vi. 614.

† Rym. iii. 548. 554. v. 828.

‡ Id. iii. 157. 481. 775. 784. iv. 114. 534. v. 829. De validioribus et potentioribus. Des meilleurs, et plus vaillauntz, et plus soeffisauntz. In all such cases they were to be paid by the king. Ad vadia nostra. The writs give to the commissioners the authority to "choose and try." I suspect, however, that the number of men was first assessed on the different townships, and the men furnished by them were received or rejected by the arrayers.

§ Rot. Wall. 11 Ed. I. apud Brad. iii. 3.

‖ Rym. ii. 767.

¶ Rym. iv. 107, 108.

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which has been rendered so celebrated in history by the victory of Creci, he summoned every man at arms in the kingdom, if he were in good health, to attend personally; if he were not, to send a substitute; and ordered all, who possessed lands of the yearly value of five pounds or more, to furnish men at arms, hoblers, and archers in proportion to their income *. On all these occasions, if we may judge from the language of the writs, the levy was conducted in the most arbitrary manner; the selection, when it was made, depended on the caprice or the partiality of the arrayers; and every act of disobedience was punished with forfeiture and imprisonment. Of these grievances the commons frequently complained; and to appease them, it was enacted that no man should be compelled to serve against his will; or to find archers, hoblers, or men at arms, unless he were bound by his tenure; or to march out of his own county, unless in case of actual invasion †. But Edward seldom respected these statutes: he always justified himself by the plea of necessity; and the commons were compelled to be content with the promise that the past should not be drawn into a precedent for the future. The law had provided that men raised in this manner should be paid by the king from the time of their leaving their homes: but it appears that they were frequently removed at the expense of the shire; another grievance, the subject of much, but fruitless complaint ‡.

When the army had assembled, it was found to consist of four principal descriptions of force. 1. The men at arms, the first in importance and dignity, were heavy cavalry, covered or more properly encumbered with armour of iron from head to foot, bearing a shield for defence, and employing as offensive weapons the lance, the sword, the battle-axe, or the mace. They comprised the knights, with their esquires and followers.

* Rym. v. 489, 490. Rot. Parl. ii. 160. 170. See other instances in the transcripts for the New Rymer, p. 22—226, 37. On June 1, 1359, the city of London is ordered to provide, against the 16th of that month, 150 archers on horseback, furnished with clothes and suitable arms at the cost of the city. Ibid. p. 41. † Rot. Parl. ii. 3. 11. 239. Stat. of Realm, i. 255. 321.

‡ Rot. Parl. ii. 143.

If we may believe the assertion of Edward I., it was part of the prerogative to compel not only each tenant of a knight's fee from the crown, but every freeholder of land to the yearly value of twenty pounds, to take up the degree of a knight, and to furnish himself with the barded horse, the arms and the armour befitting his new rank. When this had been done, he was bound to serve at the king's cost, as often as he was required, whilst it remained at the option of men of less property to join the army or not. In consequence of such claim on the part of the crown, commissions were issued from time to time to ascertain, through the inquest of a jury, the real income of all the free tenants in every hundred; then followed a proclamation fixing a distant day, before which all who were liable were ordered to comply with the obligation; and lastly, the sheriff took into the king's hands the real estates of each defaulter, till he had satisfied by fine for his disobedience. To the minor proprietors these proceedings were sources of disquietude and expense: some succeeded in purchasing an occasional respite, some an entire exemption; and, as an alleviation to the others, the king at times suspended the obligation for some years, or limited it to the possessors of higher incomes; till at last it came to be confined to those whose lands were estimated at the yearly value of fifty pounds *. But to men of more ample fortune, and more aspiring mind, that which the former sought to shun as a burthen, proved an object of ambition. They generally sought the honour from

* Reges Angliæ consuevimus . . . . viginti libratas terræ . . . . Parl. Writs, i. 249. The arms were to be received from the king himself (a nobis, ibid.); but whether from him personally, or from some one commissioned by him, does not appear. Knights were bound to serve ad vadia nostra ad voluntatem nostram, quandocunque, &c. But of persons not knighted it was said, veniant, si voluerint, ad nostra vadia. Parl. Writs, i. 267. The punishment of defaulters may be seen, ibid. p. 258. Instances of fines paid for a respite or exemption occur, ibid. 218. 220, 221. They appear to have been regulated by the income of the petitioner, as one pays £20 for a respite of three years, whilst another for the same sum purchases an exemption for life. The income which induced the obligation of knighthood is £20, 30, 40, 50, and 100. See Writs and Rym. passim.

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the hands of the general in the field of battle, and in sight of both armies; and immediately, to give proof of their valour, hastened to the post of greatest danger, or engaged in some hopeless or romantic expedition. The lower class of knights were called bachelors: but the knight bachelor, if he brought with him into the field a train of esquires and followers equipped like himself, was entitled to bear his pennon, a long narrow ensign terminating in a point; and, if he were sufficiently opulent to retain not only esquires, but knights in his service, he might, with the approbation of the prince, display a square banner, and assume the name and honour of a banneret. This distinction belonged of course to earls and barons, who possessed several knights' fees: yet, as it was exclusively attached to the dignity of knighthood, even they were forbidden to unfurl their banners till they had been admitted into the order.

2. The hoblers were another description of cavalry, more lightly armed, and taken from the class of men rated at fifteen pounds and upwards. They were mounted on inferior horses, and equipped according to the provisions of the statute of Winchester. In the armies which invaded Scotland, they formed a considerable force: in the expeditions to France, they were less numerous *.

3. From the names recorded in Domesday, it appears that archery was a favourite exercise among the Anglo-Saxons; and there is sufficient evidence that for some centuries after the conquest, both the long bow and cross-bow were employed as offensive weapons in the hands of the foot soldiers †. Under the Edwards the

* Rym. iv. 115. 534. vi. 615.

† In the most ancient assize of arms of the 36th of Henry III. footmen out of the forests are to have bows and arrows, in the forests bows and bolts. Mat. Paris, post adver. In the summons of the 48th of the same king each township is ordered to send a certain number of foot soldiers armed with lances, *bows and arrows*, swords, *cross-bows*, and hatchets. Apud Brad. ii. 241. The first of these authorities seems to show that the cross-bow was peculiar to the inhabitants of the forests.

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superiority of the former was fully established. The average length of the bow was six feet, of the arrow half the length of the bow. The English archer used it vertically, drew the arrow not to the breast but to the ear, and could send it with good aim to the distance of twelve score yards *. That the victories gained by the English during the reign of Edward III. were owing to the use of this destructive weapon, is asserted by contemporary writers, and partially acknowledged by the king himself †. Proclamation was made that all persons should practise archery on the holidays out of the hours of divine service; and every game, which might withdraw their attention from that exercise was strictly forbidden ‡. In battle the archers were drawn up in open lines, one behind the other, so as to resemble in some measure the form of the spikes in a portcullis or harrow §. They necessarily fought on foot; but from the moment their importance became known, every knight was anxious to mount a few of them on horseback, that they might accompany him in all his expeditions, and employ their skill in his favour. Edward himself had a body guard of one hundred and twenty archers, selected from the strongest men in the kingdom ‖.

4. In the last place came the rest of the foot soldiers. In general levies they were provided with arms according to the provisions of the assize: but when a small number only was demanded from each county, they were all furnished with skull caps, quilted jackets, and iron gloves ¶. Among them was constantly a large proportion of Welshmen, armed with lances, and dressed in uniform at the king's expense. These proved of

* No one was allowed to shoot at a mark under eleven score. 33 Hen. VIII. c. 9.

† Froiss. ii. 128. 160. Unde toti regno nostro honorem et commodum, nobis in actibus nostris guerrinis subventionem non modicam dinoscitur provenisse. Rym. vi 417.

‡ The forbidden games were coits, hand-ball, foot-ball, stick-ball, canibuca, and cock-fighting. Rym. ibid. et 468.

§ Froiss. ii. 128. 158.

‖ Rym. v. 856. vi. 617.

¶ Id. iii. 784.

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great utility, wherever the country was mountainous, and ill adapted to the operations of cavalry *.

In addition to the military men, the army was attended by a multitude of artizans and labourers, pressed by the sheriffs and forwarded at the cost of the king. Innumerable writs are still in existence, allotting them to different counties, and pointing out their respective trades. We meet with blacksmiths, carpenters, sawyers, quarrymen, masons, woodcutters, ditchers, miners, and ropemakers, who were thus torn away by scores from their families and business, and compelled to suffer the hardships and encounter the dangers of a military expedition †.

When the king summoned his military tenants, the earl constable and earl marshal held the principal commands under the sovereign: but in armies raised by contract, he appointed two or more marshals, whose duty it was to array the forces, and to direct their movements. The officers who undertook the charge of the cavalry were called constables: the infantry was divided and subdivided into thousands, hundreds, and twenties, commanded by their respective leaders, centenars, and vintenars ‡.

* Rym. iv. 803. v. 9. vi. 508. † See Rot. Scot. i. 195.

‡ The muster-roll of the army which besieged Calais is still extant, and will give the reader an exact insight into the composition of an English army. Under the king were,

	£	s.	d.
The prince of Wales at *per day*	1	0	0
The bishop of Durham	0	6	8
13 earls, each	0	6	8
44 barons and bannerets	0	4	0
1046 knights	0	2	0
4022 esquires, constables, centenars, and leaders	0	1	0
5104 vintenars, and archers on horseback	0	0	6
335 pauncenars	0	0	6
500 hoblers	0	0	6
15,480 archers on foot	0	0	3
314 masons, carpenters, smiths, engineers, tent-makers, miners, armourers, gunners, and artillery men at 12*d.* 10*d.* 6*d.* and 3*d.*			
4474 Welsh foot, of whom 200 vintenars, at	0	0	4
The rest at	0	0	2

Total, 31,294 men besides the lords, and 16,000 mariners in 700 ships and boats. Brady, iii. App. No. 92.

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VI. On one occasion Edward made it his boast that his predecessors had always possessed the dominion of the seas between England and France *. The fleet by which this superiority had been obtained and preserved consisted of a few galleys and other ships belonging to the crown; of a squadron of fifty-seven sail which the cinque ports were compelled by charter to furnish as often as they were demanded by the king †; of a fleet of galleys supplied according to contract by Genoese adventurers ‡; and lastly, of the merchantmen belonging to the different ports; for at this period the same vessel served alternately for the purposes of commerce and war; and a large ship, after having discharged its cargo, and taken on board a complement of forty mariners, forty armed men, and sixty archers, was equal to meet any enemy §. The king claimed the right of purveyance of ships as well as of other articles. As occasion required, he issued orders for the seizure of a certain number of vessels, sometimes of all that could be found in any of the English harbours; and at the same time appointed commissioners to press mariners and others into his service, till they had collected a sufficient number to man them ‖. Thus he was enabled to procure conveyance for the armies which he transported to the continent; and on one occasion he left England with a fleet of eleven hundred sail of all descriptions. But it was not only in the time of war that the owners found that their ships lay at the king's mercy. As often as any of his family or servants crossed the sea, vessels

* Progenitores nostri reges Angliæ domini maris et transmarini passagii totis præteritis temporibus extiterunt. Rym. iv. 722. La navie, say the commons, estoit si noble, et si plentinouse, que touz les pays tenoient et appelloient notre Sr le Roi de la mier. Rot. Parl. ii. 311. See also Rot. Scot. i. 442.

† Id. iii. 478. 1012. iv. 283. 730. v. 619.

‡ Id. iii. 604. iv. 710. v. 560.

§ Id. vi. 167. The armed men and archers were paid as usual. The mariners received 3*d*. per day.

‖ Rym. iii. 211. 429. 950 v. 4. 80. 232. 242. 282. 300. 563. 816 vi 716. New Rym. iii. 215. Rot. Scot. i. 482. The commissioners for impressing sailors were the captains of the king's ships, each being authorized to impress a certain number, probably that at which his vessel was rated. The captain of the Trinity is repeatedly required to impress 130 men. See transcripts for New Rym. 11. 13. 19.

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were forcibly impressed for their passage *; even when the bishop of Durham came to the parliament in London, the king's officers seized for the transport of his servants and provisions three ships in the ports of Newcastle and Hartlepool †. It is true that on all these occasions the owners were paid the usual charges ‡; but such interruptions of trade were prejudicial to the merchants, and before the close of the king's reign the shipping of England had considerably decreased §.

In time of war it was customary to forbid the captains of traders to sail without convoy under the penalty of forfeiting their goods and chattels. On one occasion a general embargo was laid on all the ports in the nation; and no vessel was permitted to sail till the owner had given security that it should carry provisions to the army in Scotland ‖.

As soon as the fleet was collected, it was placed under the command of an officer named the admiral, and appointed by the crown. If it were numerous, it was divided into two squadrons, one of which comprised all the ships belonging to the ports north of the mouth of the Thames, the other all those which came from the ports to the south or west of the same river. Each was intrusted to the care of an admiral invested with the most extensive powers to enforce discipline and punish offences ¶. Of the prizes which were made, the ships belonged to the king; the cargo and prisoners were divided between him and the captors **. In what proportion this division was made is uncertain: but according to the agreement with the adventurers from Genoa, both were to share alike ††. In 1357 a singular case was brought before the king for decision. A French

* New Rym. v. 304. 335. 599. 615. 729. vi. 590. vii. 48. Id. iii. 313.
† Id. v. 778.
‡ The charge for a large ship from Dover to Calais was 3*l.* 3*s.* 4*d.*; for a smaller, 2*l.* 6*s.* 8*d.* Rym. vi. 590.
§ Rot. Parl. ii. 311. iii. 5. 86.
‖ Rym. iv. 717. 723.
¶ Id. iii. 475. iv. 71. 726—728. vi. 170. vii. 127.
** Id. vii. 29.
†† Id. vi. 762.

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squadron, which had plundered some Portuguese merchantmen, fell in with the English fleet, and was captured. The ships were condemned as prizes: but, the original owners reclaiming their goods, the cause was argued in the court of the admiral, and the demand was refused. Dissatisfied with this judgment, they appealed to the king in council, under the plea that, by a late treaty between the two crowns, Portuguese property was to be protected even in an enemy's vessel. But Edward confirmed the judgment of the admiral, and in a letter to the king of Portugal observed, that, had the goods been shipped on board the French vessels by the owners, they would have come under the provision in the treaty; but that having been captured by the enemy, they had ceased to be Portuguese property, and of course could not be claimed by the original proprietors *.

VII. In this place I may direct the attention of the reader to the state of the English church during the fourteenth century. 1. The rivalry which has already been mentioned still existed between the civil and ecclesiastical judicatures, and each continued to accuse the encroachments of the other. That their mutual complaints and recriminations were not unfounded, will appear probable, if we reflect that the limits of their authority had not been accurately defined, and that many causes had different bearings, under one of which it might belong to the cognizance of the spiritual, and under another to that of the civil judge. The latter, however, possessed an advantage which was refused to his rival, in the power of issuing prohibitions; by which he stayed the proceedings in the spiritual court, and called the parties to plead before himself. If we may believe the celebrated Grosseteste, these prohibitions, by the ingenuity of the lawyers, and the presumption of the judges, had been multiplied beyond all reasonable bounds: the cognizance of all kinds of causes was gra-

* Rym. vi. 14.

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dually withdrawn from the ecclesiastical tribunals; and the bishops and their officers were perpetually interrupted and harassed in the exercise of their undoubted jurisdiction. It was natural that the sovereign should uphold the pretensions of his own courts: but his necessities often forced him to lend an unwilling ear to the complaints of the clergy, who, as often as they voted him an aid, were careful, like the commons, to make the grant depend on the redress of their grievances. By this expedient they extorted a few occasional indulgences. Edward II. allowed the spiritual courts to determine certain causes in defiance of lay prohibitions*; and Edward III. granted that clerks convicted of any other capital crime than treason should be delivered to their ordinaries to be condemned by them to perpetual imprisonment and penance; that civil courts should be forbidden to inquire into the proceedings of the spiritual courts in causes notoriously within their jurisdiction; and that no prelate should be impleaded before the lay judges without the special command of the sovereign†.

2. The popes as supreme pastors continued to require pecuniary aids to enable them to conduct the government of the universal church; and the people, in proportion as they were oppressed with taxes for the wars against Scotland and France, complained of the monies, which were also raised towards the support of the court of Rome. The papal revenues in England arose from four principal sources. 1. The Peter-pence had been established under the Anglo-Saxon princes, a tax of one penny on every householder, whose chattels were valued at thirty pence; and it had been settled on the popes as a voluntary donation towards the relief of the

* They are deadly sins, for which public penance was enjoined; the repairs and ornaments of churches; repairs of the walls of churchyards; tithes, if the demand do not exceed one-fourth of the value of the benefice; mortuaries; defamation; and perjury. Stat. 13 Ed. I. st. 4.

† Rot. Parl. ii. 151—153. 244. Stat. 18 Ed. III. st. 3.

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English pilgrims. It appears to have been fixed by custom at a certain, instead of an uncertain sum, which still remained the same after the lapse of five centuries, notwithstanding the great increase of the nation in wealth and the number of inhabitants. The pontiffs now wished it to be collected in the manner of the original grant: but the demand was strenuously and effectually resisted; and the aggregate sum paid by the prelates to the papal collector amounted to no more than two hundred pounds *. 2. The reader will recollect the grant of the census, as it was called, of one thousand marks, which had been made by king John, as an acknowledgment that he held the crown in fee of the sovereign pontiff. The amount was not very considerable in itself: but the payment conveyed with it the idea of vassalage, and the pontiffs were annually compelled to remind the successors of John of the obligation. If their friendship chanced to be necessary to the king, the admonition was received with respect and obedience: if it were not, some excuse was invented, and the payment was deferred. At the death of Edward I., no less than seventeen thousand marks had become due: by his son every demand was faithfully discharged; and the third Edward imitated the conduct of his father, till he engaged in the chimerical project of wresting the crown of France from its possessor. The popes waited with impatience for the return of peace, and in 1366 Urban V. demanded the arrears of the last thirty-three years, with a hint that if the claim were resisted, he should enter a suit in his own court for the recovery of the penalties contained in the original grant. When the parliament met, the king assembled the lords spiritual and temporal in the white chamber at Westminster, communicated to them the papal demand, and solicited their advice. The prelates requested a day to consult

* Rot. Parl. i. 220. It amounted to 201*l.* 9*s.*: about 2*l.* more than is mentioned in the register of the Vatican. But in that register Durham is omitted.

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in private, and returning the next morning, answered, that neither John nor any other person could subject the kingdom to another power, without the consent of the nation. The temporal peers concurred in their opinion: it was communicated to the commons, who willingly expressed their assent; and a public instrument was drawn up in the name of the king, lords, and commons, repeating the answers of the bishops, and adding, that the act of John was done without the consent of the realm, and against the tenor of the oath which he had taken at his coronation. It was then resolved by the lords and commons (the king and prelates had withdrawn) that, if the pope attempted to enforce his claim by process of law, or by any other means, they would resist and stand against him to the utmost of their power *. This solemn determination set the question at rest for ever.

3. The origin of the payment of *first fruits* has been referred to the presents which in the more early ages every bishop, when he was consecrated, and every priest at his ordination, was expected to make to the officiating prelates and their attendants. By Gregory the Great it was abolished: after his death it sprang up again; and as the amount of the gift was regulated by the value of the benefice, it insensibly grew to be rated at one year's income. In many dioceses it was exacted from all the inferior clergy; in the court of Rome at every promotion; whence, as many prelates obtained their sees by papal "provisions," the first fruits of most bishoprics were gradually absorbed by the papal treasury †. In England, Pandulf, bishop of Norwich, is said to have been the first who exacted this tax from his clergy, on the plea of the incumbrances with which he found himself burdened ‡. In 1246 Boniface, archbishop of Canterbury, obtained from Innocent IV. the first year's income of all benefices in his province, which might become vacant during the six following years §; and other prelates re-

* Rot. Parl. ii. 289, 290.
† De Marca, lib. vi. c. 10, 11.
‡ Ang. Sac. i. 410.
§ Rym. i. 462.

peatedly applied for similar grants to succeeding pontiffs. At length Clement V., alleging in excuse the urgent necessities of the Roman church, reserved for his own use all the first fruits which might arise in the course of two years*; and some time after his successor John XXII. imitated his example, but extended the term to three years.

4. In this place it may be proper to notice the manner in which the provisions to bishoprics devolved on the church of Rome. After the concession of the Magna Charta, it became the custom, that on the vacancy of any see, the chapter should solicit a congé d'élire, to choose by the majority of suffrages, or by way of compromise, the future bishop, and to present him to the king for the royal approbation. That approbation was signified to the metropolitan, if the church were subject to him, or to the pope, if it were a metropolitical see. When the election had been confirmed by the pope or metropolitan, the confirmation was notified to the king, who received the homage of the new bishop, and gave him the temporalities of his bishopric†. In the course of this complex proceeding, difficulties frequently occurred. To secure proper persons for the episcopal office, and to prevent undue influence in the choice, so many minute and rigorous regulations had been introduced by the canons, that it was easy for the pope or the metropolitan, if he were so inclined, to discover sufficient cause for the rejection of almost any individual. The metropolitan, indeed, as from him there lay an appeal to the pope, was careful to exercise his authority with moderation: but the judgment of the pope was definitive; and it was usual for our monarchs to exert all their influence at the court of Rome, to free themselves from an obnoxious, and to exalt a favourite, prelate. By degrees the popes drew to themselves the right of institution, which had formerly belonged to the metropoli-

* Rym. iii. 75.
† Id. iv. 61. Rot. Rom. 10 Ed. III. apud. Brad. iii. App. 116.

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tans, and by means of "provisions" appointed to a great number of bishoprics. Nor did the monarch view the alteration with displeasure. He generally found the pontiff more tractable than the chapters; and, if he occasionally acquiesced in the papal choice, might in return expect that equal attention would be paid to his own recommendation. He was probably a gainer by the change.

On such occasions it had been customary for the pope to send a copy of the "provision" to the king, with a request that he would grant the temporalities of the see to the new bishop*. It happened that in the first of Edward I., while the king was on his way from the Holy Land, the pope appointed Robert de Kilwardby to the archiepiscopal see of Canterbury. The council admitted the new primate, but with a protestation that the provision was contrary to the rights of the crown, and a declaration that for the future the king would not hold himself obliged to grant the temporalities to prelates so provided †. Six years later Robert accepted the dignity of cardinal, and resigned his archbishopric. As the resignation was made in the papal court, the pontiff, according to custom, appointed his successor: but, probably on account of the protestation of the council, omitted in his letter to the king the usual request concerning the temporalities. The omission created a demur: but at length, on the supposition that it had been an error of the clerk, it was overlooked ‡. Twenty-three years elapsed, when William de Gainsborough was preferred to the bishopric of Worcester; and in the bull of provision the pope was made to intrust to his care the temporalities as well as the spiritualities of that see. The addition did not escape the observation of the royal officers: it was declared to be an invasion of the right of the king, to whom alone, and not to the pope, belonged

* Rym. i. 305.
† Claus. 1 Ed. I. m. 11. apud Brad. iii. App. 32.
‡ Rym. ii. 1072.

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the power of granting the temporalities; and the bishop, for having received the bull, was condemned to pay a fine of one thousand marks. To evade, however, the difficulty, without having recourse to negotiation with the pontiff, the following expedient was adopted. Gainsborough, by a formal instrument, renounced every clause in the bull which might be prejudicial to the rights of the crown, and acknowledged that he could receive the temporalities of the bishopric from no one but the king; and Edward, satisfied with this renunciation, delivered the temporalities to him, and allowed him to do homage *. Still, however, as the court of Rome persisted in the use of the same form, the crown continued to require from each bishop a similar renunciation, which was regularly made from that time till "provisions" were finally abolished in the reign of Henry VIII †.

But the "provisions" to bishoprics did not create such general dissatisfaction as those to inferior benefices. All the complaints which had been made in the reign of Henry III. were repeated; that the rights of the patrons had been invaded; that livings were given to clergymen who did not reside within the kingdom, and were even ignorant of the language; and that the wealth of the English church was occasionally employed in supporting those who advocated the cause of the enemies of England. The popes condescended to reply, that they had used their right with moderation; that, in general, they appointed none to benefices who were not the king's subjects; and that, if they ever broke that rule, it was in favour of the cardinals, who were employed to support his interest in the Roman court ‡. The real fact was, that the pontiffs, particularly after they had fixed their residence on this side of the Alps, were reduced to such indigence, that they could not maintain their ministers

* Spelm. Con. ii. 435.

† See numberless instances in Rymer, passim. In 1324 Edward II. made a solemn protest against the clause, iv. 61.

‡ Rym. iii. 97. 187.

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without external resources; and our monarchs, though they might be occasionally offended, were not sincere in their hostility to a practice, the utility of which they experienced themselves. By soliciting "provisions" for their servants, they exonerated themselves from the obligation of remunerating them out of the revenues of the crown; and scarcely a year was suffered to pass in which they did not obtain several grants of this description in favour of their own chaplains *.

On these different accounts the popes had generally several officers in England employed more in a temporal than spiritual capacity. It was their duty to collect and transmit the monies belonging to the apostolic chamber, to execute the letters of provision, to serve citations, and to notify the judgments given in the papal courts in cases of appeal, or on beneficiary matters. To the crown they were always objects of jealousy. They were most strictly forbidden to attempt any thing derogatory from the rights of the king; their persons were occasionally searched; every suspicious instrument was seized and laid before the council; and on the slightest provocation they were prosecuted, imprisoned, or banished †. The papal procurator, before he could enter on the execution of his office, found it necessary to swear, that he would be loyal to the king and keep his counsel; that he would execute no orders which might be prejudicial to the rights of the crown or of the subject; that he would publish no letters which he might receive from the pope or any other person till he had shown them to the council; and that he would not send money out of the kingdom without the royal license ‡. But no prince seems to have carried this jealousy farther than Edward II. When John XXII. had sent the bishops of Vienne and Orange to negotiate a reconciliation between him and his consort Isabella, though they had previously in-

* In 1275 Edward obtained three at the same time. Rym. ii. 55. In 1306 he obtained six. Id. ii. 982.

† Rym. iii. 187

‡ Id. vi. 709.

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formed him that they brought with them no letters of any description, which could affect his interests or those of any of his subjects, the constable of Dover received an order to address them on their landing in the following terms:—"My lords, it is my duty to charge every stran-"ger, who enters this land, to inform our lord the king "of the cause of his coming; but this is unnecessary, as "I am assured, you have already done so. It is, how-"ever, my duty also to forbid you, in the name of our "lord the king, to bring with you, or to do any thing "which may be prejudicial to the king, his land, or any "of his subjects, under the penalties which thereto be-"long; or to receive or execute hereafter any order that "may arrive, and prove to be prejudicial to him, his "land, or his subjects, under the same penalties." After this uncourteous speech, he treated them with every attention, and informed the king of their arrival *.

A.D. 1307. In the last year of Edward I. the different claims of the pontiffs became the subject of parliamentary investigation. An unanimous resolution was taken by the king, lords, and commons, to put an end to all causes of complaint, and Testa, the papal procurator, was severely reprimanded before the two houses, forbidden to repeat his former exactions, and strictly enjoined to keep for the king's use the monies which he had levied. At the same time writs were directed to the sheriffs, to arrest all persons, who had been employed by him, and to bring them before the king on a certain day, to answer the complaints of the aggrieved. It is impossible to acquit Edward of duplicity on this occasion. The cardinal bishop of Sabina visited him during the sitting of parliament: as soon as it was dissolved, the king took Testa and his associates under the royal protection, and granted them permission to levy the first fruits, to perform all acts done by their predecessors, and to transmit the monies which they had collected to the pontiff in bills

Mar. 22.

April 4.

* Rym. iv. 206.

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of exchange. The cardinal soon afterwards departed; and the papal officers were immediately opposed by the officers of the crown. They exhibited the king's letters: but were told that these letters included the words "as "far as is in our power:" now it was not in the king's power to surrender the rights of the crown; and of consequence the protection which they had obtained was of no force. From this decision they appealed to Edward himself, who replied by an order for the observance of the parliamentary prohibitions. His death, which happened a few days later, left the question in this unsettled state *.

June 27.

So it remained during the reign of Edward II., and the first part of that of his successor. But in the year 1343 the act of Edward I. was read in parliament, and an additional act was passed, forbidding, under the pain of forfeiture, any person to bring into the realm, or receive, or execute provisions, reservations, or letters of any other description, which should be contrary to the rights of the king or of his subjects; ordering all such letters to be seized wherever they might be found; and commanding all provisors or others, who in consequence of such letters, should institute actions against the patrons of benefices, or their presentees, to be brought before the king to receive that judgment which he should award †. In the next parliament it was determined that the penalty to be incurred by offenders against the last act should be outlawry, perpetual imprisonment, or abjuration of the realm. In 1351 it was provided by a new statute that ecclesiastical elections should be free, and the rights of patrons should be preserved; that if the pope by provision or reservation disturbed such rights and elections, the collation should fall to the king in all cases where he or an ecclesiastical person were the patron, or the lay patron neglected to

A. D. 1343.

A. D. 1344.

A. D. 1351. Feb. 9.

* See the whole proceeding related in the rolls of Parliament, i. 219—223.
† Rot. Parl. ii. 144, 145.

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exercise his right; and that if the king's presentee were afterwards molested by the provisor, then the said provisor, his procurators, executors, and notaries, should be imprisoned, and fined at the mercy of the king, and make full compensation to the person aggrieved *. With this statute the clergy were not content. In the place of one invasion of right it substituted another. Instead of protecting the freedom of canonical election against the interference of the pope, it abolished such freedom in favour of the king, on the groundless plea that the nomination had originally belonged to the crown, and that when the conditions, on which free elections had been conceded, were no longer observed, the crown ought to be replaced in its original situation.

A. D. 1353. Two years later an addition was made to the provisions of this statute. It always happened that the presentee applied for protection to the royal, the provisor to the papal courts; and that the latter by spiritual censures endeavoured to prevent the execution of the judgments given in the former. It was therefore enacted that whosoever should draw any of the king's subjects to plead in a foreign court on matters, the cognizance of which belonged to the king's courts, or should by such means seek to defeat the judgments given in the king's courts, should be allowed two months to answer for his contempt; and at the expiration of that term should, with his procurators, attorneys, executors, notaries, and maintainers, be put out of the king's protection; his lands, goods, and chattels forfeited to the king, and his body, if found, imprisoned, till it were ransomed at the king's will †.

In 1364 all the former statutes on this subject were confirmed, and the penalties of the last were extended to all persons who had procured, or should procure personal citations to plead in a foreign court, or had obtained or should obtain in the said court any ecclesias-

* Stat. of Realm, i. 316. † Rot. Parl. ii. 252. Stat. of Realm, i. 329.

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tical benefices within the realm; and in the same punishment were involved all their maintainers, concealers, abettors, aiders, fautors, and sureties. To this new statute the dukes, earls, barons, and commons agreed, "if "it should so please the king:" but the prelates added to their consent a protest, that they did not mean to assent to any thing "which might be, or which might "turn to the prejudice of their dignity or estate *."

In 1373 the commons again addressed the king, complaining of the papal provisions, and of the demand of the first fruits: but Edward replied, that his envoys were treating on these subjects with the pontiff, and that he could not consent to any innovation till he should know the result †. It was agreed by the two powers to suspend all proceedings in their respective courts, and to send ambassadors to Bruges, where the matters in dispute might be amicably adjusted, and at the same time a peace be negotiated with France under the papal mediation. The consequence was that Edward remitted all penalties enacted by the statutes against provisors; and Gregory XI. revoked every reservation which had been made by himself or his predecessors, but had not yet taken effect; confirmed all the king's presentees in the actual possession of their benefices, without requiring from them the payment of the first fruits; imposed silence on all the provisors (they were six in number) who had causes pending in his courts; and empowered the bishops to visit the livings, which had been given to cardinals; and to reserve, in defiance of prohibition or

A. D. 1373.

A. D. 1374.

A. D. 1375

* Stat. of Realm, i. 386. Rot. Parl. ii. 284, 285. These enactments were called the statutes of provisors and premunire. The latter word is taken from the beginning of the writ, preparatory to the prosecution, *præmunire facias*. Forewarn, &c.

† Rot. Parl. ii. 320. A little before, the commons had petitioned that no clergyman should be one of the great officers of state: and Edward had replied that he should take the advice of his council. I mention this merely to observe, that the real ground of the petition appears on the rolls: namely, that laymen for mal-administration might be punished with the forfeiture of their lands and chattels; but the clergymen were so secured by their privileges, that it was difficult to bring them to justice, whatever had been their conduct while they were in power. Rot. Parl. ii. 304.

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appeal, so much of the income as they thought necessary for the repairs of the church and buildings *. The king seems to have been satisfied: but the commons the next year presented to him two more petitions, repeating and exaggerating their former complaints. They were coldly received. He had, he returned, already applied a sufficient remedy, and was still in treaty with the pontiff respecting the matters contained in their long and tedious addresses †.

A. D. 1376.

From the preceding detail, the reader will have collected an accurate notion of this controversy. Of the primacy of the pontiff, or of his spiritual jurisdiction, there was no question: both these were repeatedly acknowledged by the commons in their petitions, and by the king in his letters. But it was contended that the pope was surrounded by subtle and rapacious counsellors, who abused for their own emolument the confidence of their master ‡; that by their advice he had "accroached" to himself a temporal authority to which, as it invaded the rights of others, he could have no claim; and that when repeated remonstrances had failed, it was lawful to employ the resources of the civil power in the just defence of civil rights. It was in vain that the pontiff, on account of his pre-eminent dignity in the church, claimed a right to dispose of its revenues for its advantage: the new statutes were put in execution; and the same legislators, who received with deference the doctrinal decisions, and disciplinary regulations of their chief pastor, visited with the severest penalties of the law the clergymen who procured from him the provision to a benefice in opposition to the rights of the patron. This is an important occurrence in our history, as it proves beyond contradiction that the distinction between

* Rym. vii. 33. 83—88. † Rot. Parl. ii. 337—340.

‡ In the preamble to the statute of the 38th of Edward III. it is said to have been enacted among other reasons, en eide et confort du pape, qui moult sovent a estee truble par tieles et semblables importuns clamours et impetrationes, et qui y meist veluntiers convenable remedie, si sa segũtete estoit sur ces choses enfourmee. Stat. of Realm, i. 385.

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the spiritual and temporal power of the pope, which is maintained by the catholics of the present day, was a principle fully recognised and asserted by their catholic ancestors many centuries ago.

In the obstinacy with which the court of Rome urged the exercise of these obnoxious claims, it is difficult to discover any traces of that political wisdom for which it has been celebrated. Its conduct tended to loosen the ties which bound the people to the head of their church, to nourish a spirit of opposition to his authority, and to create a willingness to listen to the declamations, and adopt the opinions of religious innovators. To disputes respecting the questionable limits of the spiritual and temporal jurisdictions succeeded a more important controversy on points of doctrine; and before the close of Edward's reign a new teacher appeared, who boldly rejected many of the tenets which his countrymen had hitherto revered as sacred; whose disciples for more than a century maintained a doubtful contest with the civil and ecclesiastical authorities; and whose principles, though apparently eradicated, continued to vegetate in secret till the important era of the Reformation. I may be allowed to add a few notices respecting the life of this extraordinary man.

VIII. It is about the year 1360 that the name of Wycliffe is first mentioned in history. He was then engaged in a fierce but ridiculous controversy with the different orders of friars. They had been established in England for more than a century; and by their zeal, piety, and learning, the usual concomitants of new religious institutions, had deservedly earned the esteem of the public. Some taught with applause in the universities: many lent their aid to the parochial clergy in the discharge of their ministry: several had been raised to the episcopal dignity; and others had been employed in difficult and important negotiations by their sovereigns *.

* See Collectanea Anglo-Minoritica, passim.

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The reputation and prosperity of the new orders awakened the jealousy of their rivals. Fitz-Ralph, archbishop of Armagh, openly accused them before the pontiff; and Wycliffe, treading in the footsteps of Fitz-Ralph, maintained at Oxford that a life of mendicity was repugnant to the precepts of the gospel, and that the friars in practice and doctrine were involved in the guilt of fifty heresies. The men whom he attacked endeavoured to justify themselves by the example of Christ, who was supported by the alms of his disciples: and Wycliffe replied by this nice distinction; that Christ, though he received, did not ask; while the friars, not content with spontaneous offerings, extorted others by their importunity and falsehoods. This controversy had no immediate result: but it is mentioned as the origin of that violent hostility to the friars, which Wycliffe displayed in every subsequent stage of his life.

A. D. 1361. Oct. 20. Archbishop Islep had founded Canterbury hall in Oxford for a warden and eleven scholars, three of whom with the warden should be monks of Christchurch, the other eight secular clergymen. In conformity with the statutes, the prior of Christchurch presented to him in 1363 the names of three monks: he chose that of Wodehall, who was accordingly installed in the office of warden. Two years later, at a time, if we may believe the subsequent pleadings, when all the monks were lawfully absent, Wycliffe, one of the clerical scholars, obtained for himself the appointment of warden from the archbishop, and then closed the hall against the re-admission of Wodehall and his fellows. But four months did not elapse before Islep died; and Langham, his successor, alleging that the appointment of Wycliffe was in opposition to the charter of foundation, and obtained at a time when his predecessor from age and sickness was in a state of mental imbecility, commanded the new warden to make place for the old. On his refusal the archbishop sequestrated the living of Pageham, which belonged to the hall; but Wycliffe appealed to the pon-

A. D. 1363. Mar. 13.

1365. Dec. 9.

1366. April 23.

tiff, and by this expedient obtained a respite for three years. At length the contending parties appeared in the papal court at Viterbo, and delivered their respective statements: but at the next sitting Benger, a clerical scholar, who prosecuted the appeal on the part of Wycliffe, was not in attendance: two adjournments followed to give him time to appear: the cause then proceeded in his absence, and judgment was finally given in favour of Wodehall *. Wycliffe yielded to the united authority of the king and the pontiff, but with feelings of resentment, to which his contemporaries attributed those bitter and envenomed invectives with which he afterwards assailed the court of Rome, as well as the monastic orders †. A. D. 1370. May 11.

He had obtained the honorary title of one of the king's chaplains, and as such strenuously maintained in the university the rights of the crown against the pretensions of the pontiff. His name stands the second on the list of commissioners appointed to meet the papal envoys at Bruges, for the purpose of adjusting in an amicable manner the disputes between the two powers ‡. He was afterwards preferred to a prebend in the collegiate church of Westbury, being already in possession of the rectory of Fylingham, which he exchanged for that of Lutterworth, both in the diocese of Lincoln A. D. 1374

To accept of preferment was so contrary to the principles which he afterwards taught, that it is probable he had not yet determined to embrace the profession of a reformer. He continued, however, to lecture at Ox-

* See the original documents in Lewis, 235, and Vaughan, i. 406.

† "For that he was justly deprived by the archbishop of Cauterburye "from a certayne benefice." Contemp. writer in Achæol. xxii. 253. The license for the impropriation of the living of Pageham stated that it was for the support of a body consisting of four monks and eight clergymen. The lawyers therefore maintained that it had fallen to the crown; because from the time when Wycliffe obtained possession all had been at first clergymen, and afterwards all monks; but Edward confirmed the grant to the Hall in 1672 on the payment of a fine of 200 marks.

‡ Rym. vii. 41.

ford, and imitated in his manner of life the austerity of the men whom he so warmly opposed. He always went barefoot, and was clad in a gown of the coarsest russet *. By degrees he diverted his invectives from the friars to the whole body of the clergy. The pope, the bishops, the rectors and curates, smarted successively under the lash. Every clergyman was bound, he contended, to imitate the Saviour in poverty as well as virtue. But clerks possessioners, so he termed the beneficed clergy, did not imitate the poverty of Christ. "They were choked "with the tallow of worldly goods, and consequently were "hypocrites and antichrists †." By falling into sin, they became traitors to their God, and of course forfeited the emoluments of their cures. In such cases it became the duty of laymen, under pain of damnation, to withhold from them their tithes, and to take from them their possessions ‡. To disseminate these and similar principles, he collected a body of fanatics, whom he distinguished by the name of "poor priests." They were clad like himself, professed their determination never to accept of any benefice §, and undertook to exercise the calling of itinerant preachers without the license, and even in opposition to the authority of the bishops.

The coarseness of Wycliffe's invectives, and the refractory conduct of his poor priests, soon became subjects of astonishment and complaint. In the last year of Edward, while the parliament was sitting, he was summoned to answer in St. Paul's before the primate and the bishop of London. He obeyed; but made his appearance between the two most powerful subjects in England, the duke of Lancaster, and Percy the lord

* Lel. Col. iii. 409. † MS. of Prelates, c. 40. apud Lewis, 37.
‡ Ibid. p. 266.
§ Wals. 192. Cont. Murim. 136. Wycliffe wrote a treatise entitled "Why poor Priests have no benefice." It is published by Lewis, p. 287. The reasons for refusing benefices are three: 1. The dread of simony. 2. The danger of mispending the revenues, which belong to the poor. 3. The hope of doing more good by moving from place to place.

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marshal. Their object was to intimidate his opponents: and the attempt was begun by Lancaster, who ordered a chair to be given to Wycliffe. Courtenay the bishop of London replied that it was not customary for the accused to sit in the presence, and without the permission, of his judges. A vehement altercation ensued, and the language of Lancaster grew so abusive, that the populace rose in defence of their bishop, and had it not been for his interference, would have offered violence to his reviler. Though the duke escaped with his life, his palace of the Savoy was pillaged in the tumult, which has been already described. Wycliffe found it necessary to make the best apology in his power, and was permitted to depart with a severe reprimand, and an order to be silent for the future on those subjects which had given so much cause for complaint*.

In a few days the king expired: the sequel of Wycliffe's history will be related under the reign of the next monarch. A. D. 1377. June 21.

* Wals. 191. Cont. Murim. 137. Lel. Coll. i. 183. iii. 379. Harpsfield, 683. Fuller. 135.

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CHAPTER III.

RICHARD II.

CONTEMPORARY PRINCES:

Emprs. of Ger.	*Kings of Scot.*	*Kings of France.*	*Kings of Spain.*
Charles IV. 1378.	Robert II. . . 1390.	Charles V. . 1380.	Henry II. . 1379.
Wenceslaus.	Robert III.	Charles VI.	John I. . . . . 1390.
			Henry III.

Popes.

Gregory XI. 1378. Urban VI. 1389. Boniface IX.

Government of the kingdom during the minority—Insurrection and excesses of the people—Wycliffe—his death and doctrines—Invasion of Scotland—Prosecution of ministers—Ascendancy of the duke of Gloucester—Execution of the king's friends—Richard recovers his authority—Statutes of provisors—the king goes to Ireland—Attainder of the duke of Gloucester and his adherents—Judgment of the dukes of Hereford and Norfolk—Illegal conduct of Richard—He goes to Ireland—Henry of Lancaster rebels—King made prisoner and deposed—Henry claims the crown.

A. D. 1377. June 21.

WHILE Edward yet lay on his death-bed, a deputation of the citizens of London waited on Richard of Bordeaux, the son and heir of the black prince. They offered their lives and fortunes in support of his right to the crown, advised him to leave Shene, and to make the Tower his residence, and solicited his mediation to reconcile them with his uncle, the duke of Lancaster. The young prince (he was in his eleventh year) was instructed to receive them graciously, and to signify his

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assent to their petitions. The same day his grandfather died; and the next afternoon Richard made his entry into the capital. Triumphal arches had been erected: pageants were exhibited; and conduits running with wine displayed the wealth of the citizens, and exhilarated the loyalty of the populace *. June 22.

Three weeks were employed in performing the obsequies of the late, and preparing for the coronation of the new, king. On the appointed day Richard rose at an early hour, and attended at the matins and mass in his private chapel at Westminster. The procession assembled in the great hall, the passage from which to the abbey church had been covered with scarlet cloth. The clergy, abbots, and prelates, led the way: they were followed by the great officers of the crown; and last of all came the young prince under a canopy of blue silk, borne on spears of silver by the barons of the cinque ports. While the Litany was chanted by the choir Richard lay prostrate before the altar, whence he was conducted to his throne on a platform raised in the middle of the nave. As soon as he had taken the usual oath, the archbishop, accompanied by the marshal, successively explained its obligations to the people from the four sides of the platform, and inquired whether they were willing to have the young prince for their king. Their assent was given in loud acclamations; and Richard was anointed, crowned, and invested with the different insignia of the royal dignity. A solemn mass followed: at the offertory he descended to present on the altar bread and wine and a mark of gold; and re- July 16.

* I will mention one of these pageants that the reader may form some idea of the taste of our ancestors. In the market of Cheapside was erected a building in the form of a castle, out of which ran two streams of wine. On its four turrets were placed four girls, dressed in white, and of the same age with the king. As he approached, they blew towards him small shreds of gold-leaf; then showered upon him florins made of paper, and coming down, helped him and his attendants to wine out of cups of gold. To conclude the exhibition, an angel descended from the summit of the castle, and offered to the king a golden crown. Every street exhibited some pageant or device; but the merchants of Cheapside obtained the praise of superior ingenuity. Wals. 194, 195.

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turning to his throne, received the homage of his uncles, and the earls and barons. As soon as he had communicated, the young king, exhausted with fatigue, was conveyed in a litter to his own apartment; but after a short repose was again summoned to the great hall, where he created four earls and nine knights, and partook of a splendid but tumultuous banquet. The day was concluded with balls, minstrelsies, and the usual festivities of the age *.

The next morning the prelates and barons held a great council to arrange the form of the new government
July 17. during the minority of the king, and chose "in aid of "the chancellor and treasurer" twelve councillors, two bishops, two earls, two barons, two bannerets, and four knights. The ascendancy which the duke of Lancaster possessed at the close of the last reign, his wealth and power, and his known ambition, had created a prevalent opinion that he would snatch the first opportunity to place the crown on his own head. To the surprise of his enemies he cheerfully acquiesced in the appointment of the council, and retired with his suite to the castle of Kenilworth. But though he was thus apparently excluded from the administration, in common with his brothers, the new earls of Cambridge and Buckingham, he had been careful to procure places in the council for several of his creatures, whose appointment kept alive the jealousy of his opponents, and gave rise to many specious, but perhaps unfounded, reports †.

It was the misfortune of the new king to find himself, at the very commencement of his reign, involved in an expensive war. The truce between England and France had expired before the death of Edward; and Charles

* Walsingham has preserved the whole order of the coronation (195—198). The duke of Lancaster commanded it to be enrolled. Rym. vii. 158. Sir John Dymock attended as champion with his two esquires: the lord steward, constable, and marshal, rode up and down the hall on their chargers to maintain order. Wals. 127. The claims to the different offices on this occasion may be seen in Lel. Coll. i. 253.

† Rym. vii. 162. Wals. 198. Rot. Parl. iii. 386.

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had taken the opportunity to renew hostilities, and add to his former conquests. His fleets insulted the English coasts; the Isle of Wight was plundered; the town of Hastings was burnt; and though the enemy had been repulsed from Southampton by the earl of Arundel, the maritime towns were continually exposed to their visits, and the merchants were impoverished by the interruption of commerce. In these expeditions the French obtained the co-operation of the Spaniards, whose hostility had been embittered by the impolitic pretensions of the duke of Lancaster in right of his wife to the crowns of Castile and Leon. With an exhausted treasury it was impossible for the new government to oppose the enemy on the sea, or to check his progress by land: the king summoned parliament after parliament to demand the aid of his people; and these assemblies, imitating those of the last reign, accompanied every grant with petitions, which procured the confirmation of the statutes already enacted, and led to the acquisition of new and valuable privileges, still enjoyed by the house of commons at the present day.

Aug. 21.

Richard's first parliament showed how low the influence of the duke of Lancaster had declined. The majority in the commons consisted of the members who had been arrayed against him in 1376; and the new speaker was sir Peter de la Mere, the very man whom he had imprisoned on account of his activity on that occasion. The archbishop of Canterbury opened the session with a speech, in which he recommended Richard to the affection of his people, because he was not an elected king, but the true heir and representative of their former monarchs; returned them thanks for the attention which they had always paid to his interests, since the death of his father; and requested their advice how the enemies of the realm might be effectually opposed with the least burden to the nation, and the greatest honour to the new sovereign. The commons replied that they could not venture to answer of them-

Oct. 13.

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selves so important a question, and solicited the aid of twelve peers, with "my lord of Spain" (the duke of Lancaster) at their head. The moment Richard had signified his assent, the duke arose, bent his knee to the king, and alluding to the reports which had been circulated, said that the commons had no claim on him for advice. They had charged him with that which amounted to treason. Though he might be unworthy, he was still the son of a king, and one of the first lords in the realm; nor would he sit down under the imputation, or apply to any business, till his character had been cleared. The blood which flowed in his veins was the blood of men who had been renowned for their faith and loyalty. There had never been a traitor among his ancestors of either line, nor would he be the first to sully the fair fame of two noble families. Marvellous indeed it would be, if, bound as he was by nature to be loyal, and with more to lose by treason than any other man in the kingdom, he should still be a traitor. Let then his accusers come forth. He was ready to meet them, as if he were the poorest knight, either in single combat, or in any other way that the king and his peers might award *.

This speech created a considerable ferment. The prelates and lords arose together, surrounded the duke, and entreated him to be pacified, "for no mortal living "would give credit to such imputation." The commons then came and protested their belief of his innocence, and in proof of their sincerity, referred to the choice which they had previously made of Lancaster himself to be their principal counsellor. At last he suffered himself to be persuaded, consented to forget all that was passed, and declared that he would be satisfied with the enactment of a severe law for the punishment of the inventors and propagators of similar falsehoods †.

* This speech is entered on the rolls, probably at the demand of the duke. Rot. Parl. iii.

† Ibid.

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After this pacification the commons, having presented several petitions, were ordered to withdraw, and to return on an appointed day to receive the answers of the king and the lords. In one point, and that of great importance, they proved successful. Two citizens, John Phillpot and William Walworth, merchants of London, were appointed treasurers to receive the monies arising from the new aid, of two-tenths on the towns, and two-fifteenths on the counties, and to employ them solely in defraying the expenses of the war. In another point their wishes were but partially gratified. They had petitioned that eight new councillors, the great officers of state, the chief justices, and all the individuals admitted near the king's person, should be named by the lords, and certified to the commons in parliament. The lords appointed a new council of nine members to continue in office one year, to whom were added eight others according to the request of the commons; and reserving to themselves the nomination of the chancellor, chamberlain, and steward of the household during the minority, left to the king himself the selection of his other companions and servants. To a third request that "a parliament might be holden once every year "at a convenient place, to redress delays in actions at "law, and to decide finally those cases in which the "judges differed in opinion," it was replied, that the existing statutes should be put in execution, and the place of meeting be determined by the king *.

Before the close of the session Alice Perrers was abandoned by her former patron to the resentment of the commons. She was arraigned before the peers on the act passed the last year, to prohibit females from soliciting causes in the king's courts for hire and reward; and was accused of having procured from the deceased monarch the revocation of sir Nicholas Dagworth's ap- Nov. 22.

* Rot. Parl. iii. 6, 7. 16. During these proceedings the lords appear to have acted on the principle, that by the minority of the king, the right of providing for the government had devolved upon themselves.

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pointment to an office in Ireland, and a full pardon for Richard Lyons, who had been convicted of several misdemeanors at the prosecution of the commons in parliament. The prelates and lords resolved that she should be tried by a jury, before a committee of the house, consisting of the duke of Lancaster and four earls. She was found guilty, and condemned to banishment, and the forfeiture of all her lands, tenements, goods, and chattels *.

The hopes of the nation had been raised by the promises, they were afterwards depressed by the inactivity, of the duke of Lancaster. That prince, who had received the whole of the last subsidy, conducted an army to Bretagne, besieged the town of St. Malo, lay during several weeks before the walls, and then returned to England without fighting the enemy, or achieving a single conquest. The Scots at the same time violated the truce, burnt Roxburgh, and surprised Berwick, which was soon recovered by the earl of Northumberland. Several petty engagements were fought at sea: but the commanders who chiefly distinguished themselves on either side proved to be private adventurers; Mercer, a Scot, who with a few ships scoured the German ocean, and carried off a fleet of merchantmen from the port of Scarborough; and Phillpot, a citizen of London, who, equipping a small squadron at his own charge, fell in with Mercer, and, after a sharp engagement, took him prisoner, and captured sixteen Spanish

A.D. 1378. Aug.

* Ibid. 12—14. In this trial there occurred much which is very repugnant to our present notions and practice. 1. Not only were the depositions of the witnesses very unsatisfactory, but six of the jury were examined against the accused. It should, however, be observed, that this was consistent with the ancient practice, which selected the jury from the persons supposed to be, from their own knowledge, the best acquainted with the guilt or innocence of the prisoner. In the present case it consisted of sixteen knights and esquires of the late king's household, who from their situation had been in the habit of witnessing the conduct of Perrers. 2. When judgment was about to be pronounced, it was observed that the punishment in the late act extended only to the forfeiture of goods and chattels, not of lands and tenements. To get over the difficulty, the lords who had concurred in passing that act declared that it had always been their intention to include lands and tenements. Ibid.

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vessels. Phillpot was received with acclamations by his fellow citizens; but was severely reprimanded by the council, for having presumed to levy war without the royal permission*.

The next parliament met at Gloucester, at a time when the minds of the people were soured by taxation and disappointment. On the introduction of the commons into the royal presence, their speaker, sir James Pickering, having craved the king's indulgence, if he should say any thing displeasing to him or the lords, detailed their objections to the grant of a new subsidy, which were answered by sir Richard le Scrope, the steward of the household. Emboldened by their success in the last year, they now requested permission to inspect the accounts of the treasurers, which was granted as a matter of favour but not of right, with a protestation that it should not hereafter be drawn into precedent. They next petitioned for a copy of the enrolment of the tenths and fifteenths, that they might learn in what manner they had been raised; and this was also granted, with an observation that it proceeded from the king's good pleasure, and not in consequence of their request. Lastly, they demanded that six peers and prelates should be sent to their chamber to give them advice: but the lords refused, declaring that they would revert to the ancient custom of appointing a committee of their members to consult in private with a committee similarly appointed by the other house. Though the commons were repeatedly urged to the despatch of business, and told that by their delay they added to the burden of those who had to pay their expenses, they proceeded leisurely and with much deliberation. On inquiry, however, they were satisfied that the subsidy had been impartially assessed, and lawfully expended: their objections were silenced; and a new aid by an additional impost on wool, wool-fells, and skins, was cheerfully granted†

Oct. 20.

* Wals. 211.

† Rot. Parl. iii. 34. 38.

During the war in Bretagne the French had successively obtained possession of every fortress, with the exception of Brest, which the duke, John de Montfort, had surrendered to Richard in exchange for a competent estate in England. Charles, flattering himself that he was secure of his conquest, by a definitive judgment annexed the duchy to the French crown; a precipitate and injudicious measure, which instantly awakened all the national prejudices of the Bretons. They combined to assert their independence, recalled their duke, expelled the French, and earnestly solicited assistance from England. The first expedition under sir John Arundel was dispersed by a storm, in which the general and the greater part of the men at arms perished. A second army was raised, and placed under the command of the earl of Buckingham, the king's uncle. He crossed from Dover to Calais, directed his march through the heart of France, and was permitted to advance without opposition according to the usual policy of the enemy. But by the time he had reached the borders of Bretagne, another, and not less singular, revolution had happened. Charles died: the Bretons transferred their jealousy from the French to their allies; and Montfort, after balancing long between the two parties, yielded to the wishes of his subjects, and made his peace with the regency which governed France during the minority of Charles VI. The earl spent the winter in Bretagne; and at the return of spring was happy to escape with his army from the perfidy and hostility of the natives *.

A. D. 1378. Dec. 9.

A. D. 1379. Dec.

A. D. 1380. July 21.

Sept. 16.

A. D. 1381. April 11.

The ministers had obtained ample grants of money in the two first years of this reign: in the third the expense of the war in Bretagne compelled them to solicit an additional aid, and to confirm by these frequent appeals to the generosity of the nation that control, which the house of commons had lately assumed over the public

* Froiss. xxvii. xxxiii.—xlviii. Murim. Cont. 148, 149.

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monies. It was no longer necessary to petition for the accounts of the treasury; they were offered spontaneously: and in return was granted a capitation tax graduated according to each person's rank and estate *. It had been calculated to produce above fifty thousand pounds, but fell short of half that sum; and to supply the deficiency a new demand was made upon parliament. The commons vented their discontent in complaints. They required that the council should be dismissed, that the king should govern with the aid of his usual officers, the chancellor, treasurer, keeper of the privy seal, chamberlain, and steward of the household, and that these ministers should be chosen in parliament. All their petitions were granted: even a committee of

A. D. 1379. April 25.

1380. Jan. 16.

* Rot. Parl. iii. 56, 57, 58. As the scale is curious, I shall subjoin an abridgment of it.

1. The dukes of Lancaster and Bretagne were rated at	£ 6	13	4
2. The justices of the king's bench and common pleas, and the chief baron of the exchequer	5	0	0
3. An earl, an earl's widow, and the mayor of London	4	0	0
4. A baron, banneret, knight equal in estate to a banneret, their widows, the aldermen of London, mayors of great towns, serjeants at law and great apprentices of the law	2	0	0
5. A knight, esquire who ought to be a knight, their widows, apprentices who followed the law, jurats of great towns, and great merchants	1	0	0
6. Sufficient merchants	0	13	4
7. Esquires, their widows, the widows of sufficient merchants, attorneys at law	0	6	8
8. Others of less estate in proportion	0	3	4
or ..	0	2	0
or..	0	1	0
9. Each married labourer for himself and wife	0	0	4
10. Single men and women not mendicants	0	0	4

Rot. Parl. iii. 57., 58.

The clergy, who possessed the right of taxing themselves, adopted a similar rate.

Archbishops paid	£ 6	13	4
Bishops and other spiritual peers	4	0	0
All having benefices above the yearly value of 200*l.*	2	0	0
from 100*l.* to 200*l.*	1	10	0
from 66*l.* 13*s.* 4*d.* to 100*l.*	1	0	0
from 40*l.* to 66*l.* 13*s.* 4*d.*	0	13	4
from 20*l.* to 40*l.*	0	10	0
from 10*l.* to 20*l.*	0	5	0
All other clergymen	0	2	0

Monks and nuns paid per head, according to the value of the houses to which tney belonged, 40*d.*, or 20*d.*, or 12*d.*, or 4*d.* Wilk. Con. iii. 141, 142.

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finance, consisting of lords and commoners, was appointed, with powers to inquire into the expenses of the royal household, and of the offices of government; and into this committee were introduced, by a condescension hitherto unknown, three representatives of the cities, two of them aldermen of London, and one an alderman of York. Mollified by so many concessions, they voted a tenth and a half within the cities and boroughs, a fifteenth and a half without *. Yet these grants did not prove sufficient to cover the current expenses of the year; and when the chancellor, a few months later, informed them that one hundred and sixty thousand pounds were requisite to liquidate the debt of the nation, they pronounced the demand "outrageous and insup-"portable," and prayed the king and the lords to fix on a lower sum, and point out the least oppressive mode by which it could be raised. Three plans were offered to their choice: a capitation tax, or a duty on the sale of merchandise throughout the realm, or the imposition of a tenth or fifteenth after the ancient manner. A long debate ensued. The commons proposed to raise one hundred thousand pounds by the capitation tax, of which two-thirds should be paid by the laity, one-third by the clergy: but the clergy replied, that they would admit of no invasion of their rights; they had always enjoyed the liberty of taxing themselves, and would carefully preserve it. Let others perform their own duty and they would perform theirs. At last it was resolved to impose a tax of three groats per head on every male and female of fifteen years of age: but for the relief of the poor it was provided, that in the cities and towns the aggregate amount should be divided among the inhabitants according to their abilities, so that no individual should pay less than one groat, or more than sixty groats for himself and his wife †. The parliament

Nov. 5.

Dec. 6.

* Rot. Parl. iii. 73, 74, 75.

† Rot. Parl. iii. 88—90. The clergy in convocation granted a similar tax of 6*s.* 8*d.* from all prelates, priests both regular and secular, and nuns,

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was immediately dismissed: but the collection of the tax gave occasion to an insurrection, which threatened the life of the king, and the very existence of the government.

At this period a secret ferment seems to have pervaded the mass of the people in many nations of Europe. Men were no longer willing to submit to the impositions of their rulers, or to wear the chains which had been thrown round the necks of their fathers by a warlike and haughty aristocracy. We may trace this awakening spirit of independence to a variety of causes, operating in the same direction; to the progressive improvement of society, the gradual diffusion of knowledge, the increasing pressure of taxation, and above all to the numerous and lasting wars by which Europe had lately been convulsed. Necessity had often compelled both the sovereigns and nobles to court the good will of the people: the burghers in the towns, and inferior tenants in the country had learned, from the repeated demands made upon them, to form notions of their own importance; and the archers and foot soldiers, who had served for years in the wars, were, at their return home, unwilling to sit down in the humble station of bondmen to their former lords. In Flanders the commons had risen against their count Louis, and had driven him out of his dominions; in France the populace had taken possession of Paris and Rouen, and massacred the collectors of the revenue. In England a spirit of discontent agitated the whole body of the villeins, who remained in almost the same situation in which we left them at the Norman conquest. They were still attached to the soil, talliable at the will of the lord, and bound to pay the fines for the marriage of their females, to perform customary labour, and to render the other servile prestations incident to their condition. It is true that

and of one shilling from all deacons and inferior clerks. Conc. iii. 150. I observe that the commons assert on this occasion that the wealth of the clergy amounted to one half of that of the laity. Rot. Parl. iii. 90.

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in the course of time many had obtained the rights of freemen. Occasionally the king or the lord would liberate at once all the bondmen on some particular domain, in return for a fixed rent to be yearly assessed on the inhabitants *. But the progress of emancipation was slow: the improved condition of their former fellows served only to embitter the discontent of those who still wore the fetters of servitude; and in many places the villeins formed associations for their mutual support, and availed themselves of every expedient in their power to free themselves from the control of their lords. In the first year of Richard's reign a complaint was laid before parliament, that in many districts they had purchased exemplifications out of the domesday book in the king's court, and under a false interpretation of that record had pretended to be discharged of all manner of servitude both as to their bodies and their tenures, and would not suffer the officers of their lords either to levy distress, or to do justice upon them. It was in vain that such exemplifications were declared of no force, and that commissions were ordered for the punishment of the rebellious. The villeins by their union and perseverance contrived to intimidate their lords, and set at defiance the severity of the law †. To this resistance they were encouraged by the diffusion of the doctrines so recently taught by Wycliffe, that the right of property was founded in grace, and that no man, who was by sin a traitor to God could be entitled to the services of others: at the same time itinerant preachers sedulously inculcated the natural equality of mankind, and the tyranny of artificial distinctions; and the poorer classes, still smarting under the exactions of the late reign, were by the impositions of the new tax wound up to a pitch of madness. Thus the materials had been prepared: it required but a spark to set the whole country in a blaze.

* See for instance New Rym. i. 204.
† Rot. Parl. iii. 21. 45. Stat. of Realm, ii. 2.

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It was soon discovered that the receipts at the treasury would fall short of the expected amount; and commissions were issued to different persons to inquire into the conduct of the collectors, and to compel payment from those who had been favoured or overlooked. One of these commissioners, Thomas de Bampton, sate at Brentwood in Essex: but the men of Fobbings refused to answer before him; and when the chief justice of the common pleas attempted to punish their contumacy, they compelled him to flee, murdered the jurors and clerks of the commission, and carrying their heads upon poles, claimed the support of the nearest townships. In a few days all the commons of Essex were in a state of insurrection, under the command of a profligate priest, who had assumed the name of Jack Straw.

A.D 1381

May 30.

The men of Kent were not long behind their neighbours in Essex. At Dartford one of the collectors had demanded the tax for a young girl, the daughter of a tyler. Her mother maintained that she was under the age required by the statute; and the officer was proceeding to ascertain the fact by an indecent exposure of her person, when her father, who had just returned from work, with a stroke of his hammer beat out the offender's brains. His courage was applauded by his neighbours. They swore that they would protect him from punishment, and by threats and promises secured the co-operation of all the villages in the western division of Kent.

A third party of insurgents was formed by the men of Gravesend, irritated at the conduct of sir Simon Burley. He had claimed one of the burghers as his bondman, refused to grant him his freedom at a less price than three hundred pounds, and sent him a prisoner to the castle of Rochester. With the aid of a body of insurgents from Essex the castle was taken, and the captive liberated. At Maidstone they appointed Wat the tyler of that town leader of the commons of Kent, and took with them an itinerant preacher of the name of John

June

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Ball, who for his seditious and heterodox harangues had been confined by order of the archbishop*. The mayor and aldermen of Canterbury were compelled to swear fidelity to the good cause; several of the citizens were slain; and five hundred joined them in their intended March towards London. When they reached Blackheath their numbers are said to have amounted to one hundred thousand men. To this lawless and tumultuous multitude Ball was appointed preacher, and assumed for the text of his first sermon the following lines:

June 10.

> When Adam delved and Evé span,
> Who was then the gentleman?

He told them that by nature all men were born equal; that the distinction of bondage and freedom was the invention of their oppressors, and contrary to the views of their Creator; that God now offered them the means of recovering their liberty, and that, if they continued slaves, the blame must rest with themselves; that it was necessary to dispose of the archbishop, the earls and barons, the judges, lawyers, and questmongers; and that when the distinction of ranks was abolished, all would be free, because all would be of the same nobility, and of equal authority. His discourse was received with shouts of applause by his infatuated hearers, who promised to make him, in defiance of his own doctrines, archbishop of Canterbury, and chancellor of the realm†.

* For these different particulars see Knyghton, 2633. Walsingham, 247, and Stowe, 283, 284. Some writers have described Ball as one of Wycliffe's disciples. That he was an itinerant preacher, and that he declaimed with equal vehemence against the clergy, is certain. But he was rather the precursor, as he is styled by Knyghton, (2644. 2655,) than the follower of Wycliffe; for he took up the profession of an itinerant preacher long before, even during the lifetime of archbishop Islep, who died in 1366. By that prelate, and his successors Langham and Sudbury, and by several bishops, he had been repeatedly excommunicated for preaching "errors, "and schisms, and scandals against the pope, the archbishops, bishops, "and clergy." See Wilkins, Conc. iii. 64. 152. When, however, Wycliffe began to dogmatize, he adopted some of the doctrines of the new teacher, and ingrafted them on his own. Wals. 275.

† Wals. 275. According to Straw's confession after his condemnation, the leaders at Blackheath secretly determined to get possession of the person of the young king, that they might appear to act under his au-

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By letters and messengers the knowledge of these proceedings was carefully propagated through the neighbouring counties. Everywhere the people had been prepared; and in a few days the flame spread from the southern coast of Kent to the right bank of the Humber*. In all places the insurgents regularly pursued the same course. They pillaged the manors of their lords, demolished the houses, and burnt the court rolls; cut off the heads of every justice, and lawyer, and juror, who fell into their hands; and swore all others to be true to king Richard and the commons; to admit of no king of the name of John†; and to oppose all taxes but fifteenths, the ancient tallage paid by their fathers. The members of the council saw with astonishment the sudden rise, and rapid spread of the insurrection; and bewildered by their fears and ignorance, knew not whom to trust, or what measures to pursue.

The first who encountered the rabble on Blackheath was the princess of Wales, the king's mother, on her return from a pilgrimage to Canterbury. She liberated herself from danger by her own address; and a few kisses from "the fair maid of Kent" purchased the protection of the leaders, and secured the respect of their followers. She was permitted to join her son, who with his cousin Henry earl of Derby, Simon archbishop of Canterbury and chancellor, sir Robert Hales master of the knights of St. John and treasurer, and about one hundred serjeants and knights had left the castle of Windsor, and repaired for greater security to the tower of London. June 11.

thority; to destroy all the privileged orders in the church and state, preserving only the mendicant friars to perform the offices of religion; then to make away with the king himself, and to appoint kings of the commons in every county. See it in Walsingham, 265.

* Several of these letters have been preserved. Some of them are in rhyme, containing enigmatical or cant expressions, and are signed by Jakke Milner, Jak Carter, Jak Treweman, probably feigned names, and by Jon Balle. See them in Knyghton, 2637. and Stowe, 294.

† Rot. Parl. iii, 99. Nullum regem qui vocaretur Joannes, alluding to the duke of Lancaster, who was believed to exercise the royal authority under the name of his nephew, and therefore regarded as the author of the tax. Wals. 248.

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June 12. The next morning the king in his barge descended the river to receive the petitions of the insurgents. To the number of ten thousand, with two banners of St. George, and sixty pennons, they waited his arrival at Rotherhithe; but their horrid yells and uncouth appearance so intimidated his attendants, that instead of permitting him to land, they took advantage of the tide, and returned with precipitation*. Tyler and Straw, irritated by this disappointment, led their men into Southwark, where they demolished the houses belonging to the marshalsea and the king's bench, while another party forced their way into the palace of the archbishop at Lambeth, and burnt the furniture with the records belonging to the chancery.

June 13. The next morning they were allowed to pass in small companies, according to their different townships, over the bridge *into* the city. The populace joined them; and as soon as they had regaled themselves at the cost of the richer inhabitants, the work of devastation commenced. They demolished Newgate, and liberated the prisoners; plundered and destroyed the magnificent palace of the Savoy, belonging to the duke of Lancaster; burnt the Temple with the books and records; and despatched a party to set fire to the house of the knights hospitallers at Clerkenwell, which had been lately built by Sir Robert Hales. To prove, however, that they had no views of private emolument, a proclamation was issued, forbidding any one to secrete part of the plunder; and so severely was the prohibition enforced, that the plate was hammered and cut into small pieces, the precious stones were beaten to powder, and one of the rioters, who had concealed a silver cup in his bosom, was immediately thrown with his prize into the river†. To

* "When they perceived his barge," says Froissart, "they set up such "shouts and cries, as if all the devils in hell had been in their company." Froiss. lix.

† Wals. 249. Knyght. 2635. The Savoy had been rebuilt by Henry duke of Lancaster. It was the most magnificent palace in England. Ibid.

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every man whom they met they put the question, "With "whom holdest thou?" and unless he gave the proper answer, "With king Richard and the commons," he was instantly beheaded. But the principal objects of their cruelty were the natives of Flanders. They dragged thirteen Flemings out of one church, seventeen out of another, and thirty-two out of the Vintry, and struck off their heads with shouts of triumph and exultation. In the evening, wearied with the labour of the day, they dispersed through the streets, and indulged in every kind of debauchery *.

During this night of suspense and terror, the princess of Wales held a council with the ministers in the Tower. The king's uncles were absent; the garrison, though perhaps able to defend the place, was too weak to put down the insurgents; and a resolution was taken to try the influence of promises and concession. In the morning the Tower-hill was seen covered with an immense multitude, who prohibited the introduction of provisions, and with loud cries demanded the heads of the chancellor and treasurer. In return, a herald ordered them, by proclamation, to retire to Mile-end, where the king would assent to all their demands. Immediately the gates were thrown open: Richard with a few unarmed attendants rode forward; the best intentioned of the crowd followed him; and at Mile-end he saw himself surrounded with sixty thousand petitioners. Their demands were reduced to four; the abolition of slavery; the reduction of the rent of land to four pence the acre; the free liberty of buying and selling in all fairs and markets; and a general pardon for past offences. A charter to that effect was engrossed for each parish and township: during the night thirty clerks were employed in transcribing a sufficient number of copies; they were sealed and delivered in the morning; and the whole body, consisting chiefly of the men of Essex and Hert-

June 14.

* Wals. 252. Stowe, 285. 288.

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fordshire, retired, bearing the king's banner, as a token that they were under his protection *

But Tyler and Straw had formed other and more ambitious designs. The moment the king was gone, they rushed at the head of four hundred men into the Tower. The archbishop, who had just celebrated mass, sir Robert Hales, William Apuldore, the king's confessor, Legge the farmer of the tax †, and three of his associates, were seized, and led to immediate execution ‡. As no opposition was offered, they searched every part of the Tower, burst into the private apartment of the princess, and probed her bed with their swords. She fainted; and was carried by her ladies to the river, which she crossed in a covered barge. The royal wardrobe, a house in Carter-lane, was selected for her residence §.

The king joined his mother at the wardrobe; and the next morning as he rode through Smithfield, with sixty horsemen, encountered Tyler at the head of twenty thousand insurgents. Three different charters had been sent to that demagogue, who contemptuously refused
June 15. them all. As soon as he saw Richard, he made a sign to his followers to halt, and boldly rode up to the king. A conversation immediately began: Tyler, as he talked, affected to play with his dagger; at last he laid his hand on the bridle of his sovereign; but at the instant Walworth the lord mayor, jealous of his design, plunged a short sword into his throat. He spurred his horse, rode about a dozen yards, fell to the ground, and was despatched by Robert Standish one of the king's esquires. The insurgents who witnessed the transaction drew their bows to revenge the fall of their leader, and Richard would inevitably have lost his life, had he not been saved by his own intrepidity. Galloping up to the archers, he

* Rym. vii. 317. † See Knyght. 2633. 2635.

‡ In Walsingham may be seen a long account of the death of the archbishop, p. 250. His head was carried in triumph through the streets on the point of a lance, and fixed on London bridge. That it might be the better known, the hat or bonnet worn by him was nailed to the skull. Wilk. Conc. iii. 153. § Froiss. lix.

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exclaimed: "What are ye doing, my lieges? Tyler was "a traitor. Come with me, and I will be your leader." Wavering and disconcerted, they followed him into the fields at Islington; whither a force of one thousand men at arms, which had been collected by the lord mayor and sir Robert Knowles, hastened to protect the young king; and the insurgents falling on their knees begged for mercy. Many of the royalists demanded permission to punish them for their past excesses: but Richard firmly refused, ordered the suppliants to return to their homes, and by proclamation forbade under pain of death any stranger to pass the night in the city *.

On the southern coast the excesses of the insurgents reached as far as Winchester; on the eastern, to Beverley and Scarborough †: and, if we reflect that in every place they rose about the same time, and uniformly pursued the same system, we may discover reason to suspect that they acted under the direction of some acknowledged though invisible leader. The nobility and gentry, intimidated by the hostility of their tenants, and distressed by contradictory reports, sought security within the fortifications of their castles ‡. The only man who behaved with promptitude and resolution, was Henry Spenser the young and warlike bishop of Norwich. In the counties of Norfolk, Cambridge, and Huntingdon, tranquillity was restored and preserved by this singular

* The history of this insurrection has been transmitted to us, with many variations in the minor circumstances, by Walsingham, 247—278, Knyghton, 2633—2644, and Froissart, lvii—lxii.

† Rot. Parl. 5 Rich. II. 32. 95.

‡ The duke of Lancaster was at this time negotiating with the Scots on the borders. Besides the destruction of his property at the Savoy, reports were brought to him that the same excesses had been committed in his castles of Leicester and Tutbury; and that two bodies, of ten thousand men each, were lying in wait to intercept him on his return. Other reports stated that his enemies acted under the commands of the king, who had always feared, and now sought to prevent, his ambition. All these reports were false (quæ de facto falsa erant. Knyght. 2644): but they induced his officers at Pomfret to refuse him admission to his duchess, and the earl of Northumberland to exclude him from the castle of Bamborough He retired to Edinburgh, till he was honourably recalled by his nephew. Knyght. 2640—2642.

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prelate, who successively exercised the offices of general, judge, and priest. In complete armour he always led his followers to the attack; after the battle he sat in judgment on his prisoners; and before execution he administered to them the aids of religion *. But as soon as the death of Tyler, and the dispersion of the men of Kent and Essex were known, thousands became eager to display their loyalty; and knights and esquires from every quarter poured into London to offer their services
June 30. to the king. At the head of forty thousand horse, he published proclamations, revoking the charters of manu-
July 2. mission which he had granted, commanding the villeins to perform their usual services, and prohibiting illegal assemblies and associations †. In several parts the commons threatened to renew the horrors of the late tumult in defence of their liberties: but the approach of the royal army dismayed the disaffected in Kent; the loss of five hundred men induced the insurgents of Essex to sue for pardon; and numerous executions in different counties effectually crushed the spirit of resistance. Among the sufferers were Lister and Westbroom, who had assumed the title and authority of kings in Norfolk and Suffolk, and Straw and Ball, the itinerant preachers, who have been already mentioned, and whose sermons were supposed to have kindled and nourished the insurrection ‡.

Nov. 9. When the parliament met, the two houses were in-

* Wals. 263, 264. † Rym. vii. 316.

‡ Knyght. 2643. Wals. 265. 268. When Tresilian, one of the judges, tried the insurgents at St. Alban's, he impanneled three juries of twelve men each. The first was ordered to present all whom they knew to be the chiefs of the tumult, the second gave their opinion on the presentation of the first, and the third pronounced the verdict of guilty or not guilty. It does not appear that witnesses were examined. The juries spoke from their personal knowledge. Thus each convict was condemned on the oaths of thirty-six men. Wals. 276. At first, on account of the multitude of executions, the condemned were beheaded: afterwards they were hanged and left on the gibbet as objects of terror: but as their bodies were removed by their friends, the king ordered them to be hanged in chains; the first instance in which I have met with express mention of the practice. Wals. 278. According to Holinshed the executions amounted to 1500.

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formed by the chancellor, that the king had revoked the charters of emancipation, which he had been compelled to grant to the villeins: but at the same time wished to submit to their consideration, whether it might not be wise to abolish the state of bondage altogether. The minds of the great proprietors were not, however, prepared for the adoption of so liberal a measure; and both lords and commons unanimously replied, that no man could deprive them of the services of their villeins without their consent; that they had never given that consent, and never would be induced to give it, either through persuasion or violence. The king yielded to their obstinacy; and the charters were repealed by authority of parliament *. The commons next deliberated, and presented their petitions. They attributed the insurrection to the grievances suffered by the people from, 1°. The purveyors, who were said to have exceeded all their predecessors in insolence and extortion; 2°. From the rapacity of the royal officers in the chancery, and exchequer, and the courts of king's bench and common pleas; 3°. From the banditti, called maintainers, who, in different counties, supported themselves by plunder, and arming in defence of each other, set at defiance all the provisions of the law †; and, 4°. From the repeated aids and taxes, which had impoverished the people, and

* Rot. Parl. iii. 99, 100.

† The existence of the maintainers is a glaring proof of the inefficient administration of justice at this period. They united in large bodies, plundered extensive districts, put to death those who opposed them, compelled the others to pay ransoms for their liberty, and attended the courts, where pleas were held, in such numbers as to intimidate witnesses, juries, and judges. But of all the maintainers those of Cheshire and Lancashire were the most feared. They often made inroads into the neighbouring counties to the distance of 100 miles. One of their great objects was to carry off the daughters of men of property. Each captive was of course made the pretended wife of one of the party; and a message was sent to her parents, advising them of her marriage, and requiring them to send her fortune to the husband under the peril of their lives. When this was obtained, the unfortunate female was generally restored to her family, but with an admonition, that if any person ill-treated her on account of what had passed, the offender should forfeit his life. As the king's writs did not run in the county palatine, these miscreants were protected from prosecutions brought against them for crimes committed in other parts. See the rolls, iii. 42. 62. 81. Stat. of Realm, ii. 9. 27.

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proved of no service to the nation. To silence these complaints, a commission of inquiry was appointed: the courts of law and the king's household were subjected to regulations of reform; and severe orders were published for the immediate suppression of illegal associations *. But the demand of a supply produced a very interesting altercation. The commons refused, on the ground that the imposition of a new tax would goad the people to a second insurrection. They found it, however, necessary to request of the king a general pardon for all illegal acts committed in the suppression of the insurgents, and received for answer, that it was customary for the commons to make their grants before the king bestowed his favours. When the subsidy was again pressed on their attention, they replied, that they should take time to consider of it, but were told that the king would also take time to consider of their petition. At last they yielded: the tax upon wool, wool-fells, and leather was continued for five years †; and in return a general pardon was granted for all loyal subjects, who had acted illegally in opposing the rebels, and for the great body of the insurgents, who had been misled by the declamations of the demagogues ‡. This favour, how-

Dec. 13.

* Ibid. 100—102.

† That the tax upon wool might not by repetition be at length claimed as a right, they inserted the following clause in the grant. Combien qe riens n'y ad le Roi es dites subsides sinoun par lour grant. 104.

‡ Ibid. 103. At first several towns were excepted: but on the representation of the commons it was extended to all but Bury St. Edmunds, p. 118. Many individuals were also excepted by name from the cities of London, Winchester, and Canterbury, and the counties of Norfolk, Suffolk, Kent, Essex, Hertford, Middlesex, Sussex, and Somerset. They amounted to 286. Ibid. 111. The other proceedings of this parliament are highly interesting, as they point out to posterity the original cause of loans to the public on *parliamentary security*. A grant, continuing the duty on wool, wool-fells, and leather, for four years, had been made to the king, that he might undertake an expedition into France. To raise money on the credit of this grant, he called a council of merchants, those of London by themselves, and two or three from every town in England. They replied that it would be necessary to have the security of parliament. In consequence a new parliament was called (2nd Aug. 1382). The knights of the shires proposed to the lords to leave the business to the merchants, "for they understood such affairs better than any other estate in the "realm." A committee of fourteen merchants from the lower house was

ever, was said to have been granted on occasion of the king's approaching marriage, and at the intercession of his intended queen, Anne of Bohemia. She was the daughter of the late emperor Charles IV., and sister of Winceslaus, king of the Romans; a princess of great accomplishments, and of still greater virtue, who during the twelve years of their union possessed the affections of her husband, and after her death was long remembered by the people under the appellation of the "good queen "Anne." A. D. 1382. Jan. 22.

While the principal nations of Europe were thus agitated by popular tumults, the christian world had been thrown into confusion by the opposite pretensions of two competitors for the papacy. Gregory XI., about seventy years after his predecessors had fixed their residence in France, returned, against the unanimous advice of the cardinals, to Rome. At his death three-fourths of the sacred college consisted of Frenchmen; and the Romans, jealous of their preponderance, surrounded the conclave, and with the most alarming menaces demanded an Italian pope. To appease them the archbishop of Bari was chosen, and assumed the name of Urban VI. For some months he exercised the pontifical authority without opposition; but his severity alienated his friends, and irritated his enemies; the French cardinals seceded to Anagni; and under pretence that the former election had been made through the influence of terror, another A. D. 1377. Jan. 13. A. D. 1378. Mar. 27. April 19.

appointed, who, after repeated consultations, reported, that on former occasions merchants, who had lent money to the crown, had been ruined by malicious prosecutions, under pretence that they had defrauded their sovereign; that the experience of the past was a sufficient warning to them to refuse loans of money to the crown on any consideration; but that, if the lords and commons would advance to the king the sum required (40,000*l.*) the merchants would lend an equal sum to them on their respective securities. This was not accepted, and the parliament was dissolved. Rot. Parl. iii. 123. Afterwards, however, when it was found that the crown, by the vexatious proceedings mentioned by the committee, had defeated its own purpose, and that no money could be borrowed by the king on his own credit, ministers were obliged to solicit the aid of parliament; and the reader will, in the next reign, witness the whole legislature join in giving sufficient security to those who were willing to advance money for the public service.

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pontiff was chosen, the cardinal of Geneva, who called
Sept. 21. himself Clement VII. Clement was immediately acknowledged by France, and the allies of France, the kings of Scotland, Spain, Sicily, and Cyprus: England and the rest of Europe continued in their obedience to Urban. From Rome and Avignon, their respective residences, the two pontiffs launched their anathemas, and preached up crusades against one another. For the latter purpose Urban had invested the warlike bishop of Norwich with extraordinary powers; and the king's council encouraged the plan with the intention of directing the expedition against France: for the war with that monarch was still continued, though of late years it had been confined on both sides to a few predatory incursions by land, and the capture of merchant vessels at
A. D. 1382. Dec. 6. sea. With the consent of parliament a contract was signed between the king and the bishop: the former engaged to contribute the produce of a fifteenth lately granted by the laity towards the expense of the enterprise; and the latter to serve against France for the space of a year with two thousand five hundred men at arms, and an equal number of archers *. It was determined that the first object of the army should be to aid the citizens of Ghent, who after the great battle of Rosebecque, and the reduction of Flanders, still bade defiance to the power of their count and of his patron, the
A. D. 1383. May. king of France. The prelate took Gravelines by assault; defeated an army of twelve thousand men; entered Dunkirk with the fugitives; and became master of the coast as far as Sluys. Had he been assisted, as he had reason to expect, this promising commencement might have terminated successfully. A numerous body of men at arms was indeed assembled at Dover: but the duke of Lancaster, whose offers had been rejected by parliament, and who envied the progress of his rival, is said to have detained them on the coast; and the bishop was

* Rot. Parl. iii. 145. 147.

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joined by none but needy and desperate adventurers, who perplexed his counsels, and controlled him in the command. To satisfy their wish of plunder, and comply with the request of the citizens of Ghent, he undertook the siege of Ypres. The place was long and valiantly defended: the king of France approached with twenty thousand men at arms; the men of Ghent retired; and the English, in a state of mutiny, fled before the arrival of the enemy. A part took possession of Bourbourg: and having repelled the first assault of the pursuers, obtained permission to retire with their booty to Calais. The bishop threw himself into Gravelines; and, after a short defence, demolished the fortifications, and returned to England *. But here his bad success exposed him to the persecution of his enemies. He was accused in parliament of having received a bribe of eighteen thousand franks of gold from the enemy, and of having broken his contract with the king by returning before the twelve months of his service were expired. From the first of these charges he cleared himself to the satisfaction of his judges; but when he attempted to justify his return by the necessity of the case, his defence was not admitted. He had brought, it was replied, that necessity on himself by his own neglect or imprudence; and was therefore condemned to lose his temporalities, till such time as he had paid the full damages to the king. Besides the bishop, four of the principal knights, who had joined in the expedition, were arraigned on a charge of having sold the stores and provisions to the enemy for twenty thousand franks, and were condemned to pay that sum into the exchequer, and to remain in prison till they should make their peace with their sovereign †.

Oct. 26.

A. D. 1384.

Mar. 6.

* Wals. 293—305. Knyght. 2671, 2672. Rym. vii. 372. 382. 385. 391. 395. 399. Froiss. li. lxv. Froissart may be accurate in his account of the sieges and battles, but it is evident from the rolls and documents in Rymer, that he was misinformed as to the real object of the expedition.

† Rot. Parl. iii. 133—158. Rym. vii. 424—427.

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Before we proceed to the subsequent transactions of this reign, it will be proper to resume the history of Wycliffe. The insurrection of the commons had created a strong prejudice against the new doctrines of that reformer. It may be, that the itinerant preachers had improved on the lessons of their master: but, if we can believe the assertions of the contemporary writers, we must admit, that their sermons were calculated to awaken in the people a spirit of discontent and insubordination, and to bring into contempt the established authorities, both in church and state. A few weeks before the death of the late king, eighteen propositions, selected from the works and lectures of Wycliffe, and relating to the temporal possessions of the church, and the use of ecclesiastical censures, had been laid before Gregory XI.: and about the end of the year, in consequence of the papal letters, the rector of Lutterworth was summoned to explain his opinions in the presence of the primate, and of the bishop of London *. To prepare for the day of trial, he first published a defence of part of his doctrine, in language the most bold and inflammatory. Soon afterwards he composed a second apology, in which, though he assumed a more moderate tone, he avowed his willingness to shed his blood in the defence of his assertions. There is, however, reason to believe, that the new apostle was in no haste to grasp the crown of martyrdom. At his trial he exhibited to the prelates the same paper, but with numerous corrections and improvements. It begins with a profession of his readiness to submit to the correction of the church, and a revocation of whatever he may have taught contrary to the doctrine of Christ. He then proceeds to notice the several propositions, which he explains, qualifies, and defends: but occasionally, to impart to them something like a rational meaning, is compelled to make use of quibbles and evasions, which seem unworthy of a

A D. 1377. May 22. Dec. 28.

* Wals. 201—204. Lewis, 254—265. Wilk. Con. iii. 116, 117. 123.

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sensible or of an honest man *. This paper, however, such as it might be, was admitted by the bishops as orthodox; and its author was dismissed with an order to abstain from the use of language so calculated to perplex and mislead the ignorant. By some, it is said, that the two bishops were intimidated by a message from the princess of Wales: by Wycliffe himself his escape was considered and celebrated as a triumph †.

From this period, till the insurrection of the commons, the rector of Lutterworth employed himself in directing the operations of the poor priests, and gradually turned his attacks from the possessions to the doctrines of the church. As soon as tranquillity was restored, the bishop of London succeeded the primate, who had been murdered; and one of his first measures was to call a synod of divines, in which four-and-twenty opinions, zealously inculcated by the new preachers,

A. D. 1382. May 17.

* Thus, for example, he had taught that "charters of perpetual inheritance were impossible, that God himself could not give to man civil "possessions for ever." He now declared that by the words "for ever," he meant after the day of judgment. His opinions were therefore consonant to the first principles of religion, and did not affect civil possessions at present. Again, he had taught that "if there was a God, temporal "lords might lawfully and meritoriously take away worldly goods from a "delinquent church." He protested that by this doctrine it was not his meaning that temporal lords might take away such goods of their own authority; but that if there were a God, he was almighty: if he was almighty, he had the power to command temporal lords to take away the goods of the church; and if he should command them, then they might do it lawfully and meritoriously. There are many other explanations of a similar nature. Wals. 206, 207.

† I have no doubt that I have placed the three writings put forth by Wycliffe about this time in the order in which they originally appeared. The first—by some writers described as the last—"the answer to a motley doctor"—bears evidence on the very face of it, that it was composed just after the arrival of the bulls, and the appointment of the delegates. The other two are apologies in defence of his opinions which had been censured by the pope, accompanied with certain glosses and qualifications which are calculated to remove or disguise what was most offensive in them. One of them is called "aliqualis responsio ad bullam," and written in a tone of boldness and defiance: the other is more moderate in its language, and more exculpatory in its explanation. To whom the first was addressed or presented, is unknown; from its title and tone I should think that it was written to be circulated in the university: the other was presented to the delegates, and appears to have been accepted by them as satisfactory. The last may be seen in Walsingham (206); all three in Lewis (318, 319). For a different arrangement, consult Mr. Vaughan's Wycliffe, i. 387.

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were censured; ten as heretical, fourteen as erroneous, and of dangerous tendency *. It chanced that, while the synod was sitting, an earthquake shook the metropolis: a circumstance, which the policy, or the fanaticism, of Wycliffe converted into a proof of his doctrine. —"The erth tremblide," he writes, "for they put an "heresie upon Crist and the seyntes in hevyne. Fay "(faith) land, mannus voice answeryde for God, als it "did in tyme of his passione, whan he was dampnyde "to bodely deth †." From this condemnation he appealed to the protection of the duke of Lancaster, by his disciples Hereford and Rapyngdon: but that prince rejected the application; the messengers themselves were compelled, after some tergiversation, to recant ‡; and a royal mandate was sent to Oxford, suspending Wycliffe from the office of teaching, and ordering all his works to be seized and forwarded to the archbishop in their existing state, without erasure or alteration §. Unwilling, however, to bend to the storm, he sought to shelter himself under the protection of the parliament; and presented a petition "for the maintenance of the "christian faith," by which he artfully endeavoured to array in favour of his tenets the passions and prejudices of the nation. He prayed, that the errôr of those, who had condemned the doctrine of the itinerant preachers, might be amended and published: that Christ's own doctrine respecting the eucharist might be openly taught in the churches: that the members of the religious orders might have full liberty to secularize themselves: that tithes might be applied to those purposes only, for which they were ordained by God's law, and the pope's law; and that no more taxes should be laid upon the people; but that the wants of the nation should be supplied from the incomes of delinquent clergymen, and

June 20.

July 13.

* Wilk. Conc. iii. 157. † Knyght. 2650.

‡ The whole process, with the evasions, the excommunication and recantation of Hereford and Rapyngdon, may be seen in Wilkins, Con. iii. 160—166, 167, and Knyght. 2655. § Rym. vii. 363.

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the superfluous revenues of the church, which were in reality the patrimony of the poor *.

In this petition he was partially successful. Immediately after the synod, the bishops had procured an act of parliament, which stated that, whereas several persons under the mask of extraordinary sanctity and in a particular sort of garb, went from place to place, preached without authority in churches, church-yards, fairs and markets, inculcated false doctrines, excited dissensions between the different estates, prevailed on the people to support them by open force, and refused to obey the citations of their ordinaries; the sheriffs should be bound, on the certification of the prelates, in the chancery, to arrest such offenders and their abettors, and to confine them till they were willing to plead in the ecclesiastical courts. On the representation of the commons, that this act had been passed without their consent, and that they did not mean to subject themselves to the jurisdiction of the prelates in any other manner than their ancestors had been, it was repealed with the approbation of the king and the lords †. But Wycliffe's success ended here. His appeal on doctrinal matters, from a spiritual to a lay tribunal, scandalized some of his most powerful partisans; and the duke of Lancaster, hastening to Oxford, advised him to submit to the judgment of his ordinary. He reluctantly assented, read a confession of faith in presence of the primate and the bishops of Lincoln, Norwich, Worcester, London, Salisbury, and Hereford, and retiring to the rectory of Lutterworth, was suffered to remain there without farther molestation. Two years afterwards, as he was assisting at the mass of his curate on the feast of the innocents, at the moment of the elevation of the host, a stroke of apoplexy deprived him

* Wals. 283. MS. C. C. C. apud Lewis, p. 83.
† Rot. Parl. iii. 124. 141. Gascoigne apud Lewis, 286. Lel. Coll. iii. 409.

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of the use of his tongue, and of most of his limbs He expired on the last day of the year 1384 *.

Before I proceed, I may be allowed to add a few particulars respecting the character and sentiments of this extraordinary man. Exemplary in his morals, he declaimed against vice with the freedom and severity of an apostle: but, whether it were policy or prejudice, he directed his bitterest invectives almost exclusively against the clergy. His itinerant priests formed indeed an honourable exception: they were true evangelical preachers: but the rest, the pope, bishops, dignitaries, and the whole body of "clerks possessioners," were no better than liars and fiends, hypocrites and traitors, heretics and antichrists. That many among them, as must always happen in old and wealthy establishments, may have deserved some of these appellations, is probably true: but the zeal of the new apostle could make no discrimination; and he determined to lay the axe to what he deemed the root of the evil, their worldly possessions. He contended that they were bound to lead a life of poverty in imitation of their master †: that their temporalities were given to them to be employed to the honour of God; and, therefore, might be lawfully taken away, as soon as they were diverted to any other purpose ‡: that to pay tithes and dues to an incumbent, who spent his income in vanity and luxury, was to cooperate in his sins: and that secular lords were not only permitted, but bound, under pain of damnation, to deprive of its possessions a church habitually delinquent §. It will not excite surprise, if invectives so

* Wood, Ant. Oxon. 189.

† Apud Lewis, p. 293. He maintained that the man, who taught it to be lawful to endow churchmen, was the greatest of heretics and antichrists. Trialog. iv. 15. His seven arguments in favour of this doctrine were answered by Woodford, Fasciculi. rer. expetend. i. 221—230.

‡ Wycliffe's explanation apud Lewis, 325. xvii.

§ Dicimus non solum quod illis licet hoc facere, sed quod debent sub pœna damnationis gehennæ, cum debent de sua stultitia pœnitere, et satisfacere pro peccato, quo Christi ecclesiam macularunt. Trial. iv. 18. Yet he afterwards attempted to explain it away. "If this be errour, as they

coarse, and doctrines so prejudicial to their interests, alarmed and irritated the clergy. They appealed for protection to the king and the pontiff: but though their reputation and fortunes were at stake, they sought not to revenge themselves on their adversary, but were content with an order for his removal from the university to reside on his own living. If the reader allot to *him* the praise of courage, he cannot refuse to *them* the praise of moderation.

On many points of doctrine it is not easy to ascertain the real sentiments of this reformer. In common with other religious innovators, he claimed the twofold privilege of changing his opinions at will, and of being infallible in every change: and when he found it expedient to dissemble, could so qualify his doctrines with conditions, or explain them away by distinctions, as to give an appearance of innocence to tenets of the most mischievous tendency. For the church as it originally existed, and as it continued to exist for a thousand years, he professed the most unfeigned veneration. It was then pure in doctrine, perfect in discipline, and free from the contagion of avarice. But at the expiration of the tenth century, the prediction in the apocalypse was literally fulfilled. The great dragon, who had been chained for a thousand years, was loosed; and the first use which he made of his liberty was to spread his agents, the new religious orders, over all parts of the Christian world. From that moment faith, discipline, and morality, were corrupted; and the re-establishment of the Gospel was reserved for the exertions of Wycliffe and his "poor priests *."

His favorite maxim that dominion or the right to

"seyn falsy, then the king and secular lords may take no farthing ne far-
"thing worth fro a worldly clerk, tho he owe him and his liege men never
"so much good, and may well paye it and wole not." Great sentence of curse expounded, apud Lewis, p. 99.

* Trialog. iv. 32, 33.

property is founded in grace, seems to have been generated from a strange amalgamation of feudal and theological notions. He argues, that forfeiture is confessedly the punishment of treason: now every sin is a treason against God: of course the sinner must forfeit whatever he holds of God, and consequently all right to authority or property; since, of whomsoever he may hold them immediately, originally they are derived to him from God *.

He admitted seven sacraments with the Catholic church; but differed from it in explaining the nature of the eucharist, and the contract of matrimony. On the former, if he frequently made use of orthodox language, he still more frequently taught a doctrine similar to the impanation of Luther. In his confession, where he might be expected to speak plainly, he has intrenched himself behind so many unintelligible distinctions, that it will be difficult for the most acute logician to discover his meaning †: in his other works he repeatedly teaches that at the consecration the bread becomes the very body of Christ which suffered on the cross: so that the nature of bread is not destroyed, but is exalted into a substance of greater dignity ‡.

On matrimony he hazarded several extraordinary opinions: that the usual contract, in which it is said, "I take thee to wife," contains a falsehood, and is con-

* Trialog. iv. 17. In favour of this opinion he advances eleven arguments, answered by Woodford, 232—250.

† Sæpe confessus sum et adhuc confiteor quod idem corpus Christi in numero, quod fuit assumptum de virgine . . . . ipsum, inquam, idem corpus et eadem substantia est vere et realiter panis sacramentalis seu hostia . . . . . non tamen audeo dicere quod corpus Christi sit essentialiter substantialiter corporaliter vel ydemptice ille panis . . . . . conceditur quod corpus Christi est quantumcunque varie quantificatum ibi, cum sit quælibet pars quantitativa illius hostiæ, &c. &c. Confessio Mag. Joan. Wyeclyff, apud Lewis, 272.

‡ "It is verray Goddus body in fourme of brede . . . . . it is verray "Goddus body and verray brede." Knyght. 2649. "The right faith of "Christen men is this, that this worshipful sacrament is bread and "Christ's body." MS. apud Lew. 78. See Trialog. iv. 4. 27. The sacrifice "of the kirk is maad in two things togidre; that is, the visible spicis of ele-"ments and invisible flesch and blood of our Lord Jhu Crist, sacrament and "thing of the sacrament . . . . this thing that is seen and is breed; but this "that the faith askyth to be enformed, the bred is the body of Crist. Wyc-"liffe's apol. p. 47.

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sequently void: that, however, the consent of the mind is sufficient without any expression of that consent in words: but that women, who have passed the time of childbearing cannot lawfully be married, either with words or without them. His arguments on these subjects are mere verbal quibbles *.

The priests, who truly preached the Gospel, were, in his opinion, the real and the only members of the hierarchy: all, who opposed them, were antichrists, and the proctors of Satan. Of these he numbered twelve classes, beginning with the pope, and ending with the mendicant friars †. Yet he affirmed, that "prelates "and priests ordeyned of God, comen in the stede of "apostles and disciples, and that the pope is highest "vicar that Christ has here in earth ‡."

He inculcated the doctrine of purgatory, and strenuously maintained the efficacy of the mass §: but while he admitted the necessity, he censured the multitude of ceremonies ‖, and loudly inveighed against the custom of singing in the churches ¶. He also disapproved of indulgences, sanctuaries, and pilgrimages, as calculated rather to enrich the clergy than to nourish devotion **.

Wycliffe's opinions, echoed and re-echoed from the

* Take for example his argument against the contract. No woman is a man's wife till she has given her consent: but in the marriage ceremony the man says, "I take thee to wife," before the woman has given her consent; therefore he says what is false; and consequently the contract is null. See Trial. iv. 20. 22. Woodford, 214.

† Trialog. iv. 26. ‡ MS. of prelates, apud Lew. p. 129.

§ "The seying of mass with clenness of holy life, and brenning devotion "full much, and neet honds, most pleaseth God almighty, and profiteth "to christen souls in purgatory." MS. apud Lew. 131.

‖ Trial. iv. 11.

¶ "When there ben fourty or fifty in a queer, three or four proud and "lecherous lorels shullen knack the most devout service that no man shall "hear the sentence, and all other shullen be dumb, and looken on them "as fools. And thien strumpets and thieves praisen sire Jack, or Hobb "and William the proud clerk, how smallen they knacken their notes, and "seyn that they serven well God and holy church, when they dispisen "God in his face, and letten other men of their devotion and compunction, "and stirren them to worldly vanity." MS. of prelates, apud Lew. 134.

** Ibid. 137. 350.

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pulpits of his "poor priests," made numerous proselytes. Men crowded to hear the new preachers. The novelty of their manner, the severity with which they arraigned the real or imputed vices of their spiritual superiors, and the boldness of their invectives against the dues, the claims, and privileges of the clergy, interested the passions, and won the assent of their hearers. But there was another weapon which the rector of Lutterworth wielded with equal address and still greater efficacy. In proof of his doctrines he appealed to the Scriptures, and thus made his disciples judges between him and the bishops. Several versions of the sacred writings were even then extant: but they were confined to libraries, or only in the hands of persons, who aspired to superior sanctity *. Wycliffe made a new translation, multiplied the copies with the aid of transcribers, and by his poor priests recommended it to the perusal of their hearers. In their hands it became an engine of wonderful power. Men were flattered by the appeal to their private judgment: the new doctrines insensibly acquired partisans and protectors in the higher classes, who alone were acquainted with the use of letters; a spirit of inquiry was generated; and the seeds were sown of that religious revolution, which in little more than a century astonished and convulsed the nations of Europe.

The king had now reached his seventeenth year. The resolution and intrepidity which he had displayed during the insurrection seemed to portend a fortunate and glorious reign; and the qualities of his heart were recom-

* "The hole byble was long before Wickliffe's days by vertuous and "well learned men translated into the English tong, and by good and "godly people with devotion and soberness wel and reverently red." Sir Tho. More. Dialog. iii. 14. The same is asserted by archbishop Cranmer. "It is not much above one hundred years ago since scripture hath "not been accustomed to be read in the vulgar tongue within this realm; "and many hundred years before that it was translated and read in the "Saxons' tongue . . . . and when this language waned old and out of "common usage, because folk should not lack the fruit of reading it, was "translated again into the newer language, whereof yet also many copies "be found." Strype's Cranmer, App. 242.

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mended by the superior beauty of his person, and the elegance of his manners. But, to whatever cause it were owing, to the inexperience and prodigality of his youth, or to the ambition of his uncle, or the turbulence of his people, his reign from this period became a succession of errors and misfortunes, which involved him repeatedly in distress, and ultimately cost him his crown and life. The ministers, whom design or accident placed near his person, were not selected from the higher classes in the state; and when, as it was natural to expect, by their attention they had secured his attachment, the favour which they enjoyed was construed into a crime, and every benefit which they received was deemed an injury by the more noble and ancient families. This systematic opposition to his favourites exasperated the mind of the king, and induced him to lend an attentive ear to the jealousies and apprehensions suggested by the officious friendship of those around him. The reader will recollect, that at first the duke of Lancaster was the chief object of suspicion; and that the reports which had then been circulated, on no better ground perhaps than his great power, and his proximity to the throne, had been renewed during the late insurrection. The prince thought proper to seek an asylum at the Scottish court: nor did he return till the king by proclamation bore testimony to his innocence, and authorised him to travel with a body-guard, for the better security of his person *. When the bishop of Norwich had closed his ill-fated crusade, the duke concluded an armistice with France, in which the Scots were comprehended: but, as they still continued the war, he led a numerous army across the borders, burnt the huts of which their towns were composed, and inflicted on them a more serious injury by cutting down their forests, in which they had been ac-

A. D. 1383. Nov.

A. D. 1384.

* Rym. vii. 318, 319.

customed to elude the pursuit of the English *. At his return from this expedition, the reports of his disloyalty
Apr. were revived; and, during the parliament at Salisbury,
29. a carmelite friar put into the king's hands the written particulars of a real or pretended conspiracy to place the crown on the head of his uncle. Richard was advised to communicate it to the duke; who swore that it was false, offered to prove his innocence by battle, and required that the informer might be committed to close custody for future examination. The friar persisted in his story, and was given to the care of sir John Holand, the king's uterine brother †, who strangled him with his own hands during the night, and ordered his body to be dragged through the streets in the morning as that of a traitor. This dark and mysterious murder did not remove the secret suspicions of Richard; but the lord Zouch, whom the friar had mentioned as the author of the memorial, declared on his oath that he was ignorant of its existence; and the earl of Buckingham, another of the king's uncles, bursting into the room with his sword drawn, swore he would murder the first man who should charge his brother with trea-
May. son ‡. The king dissembled; and Lancaster crossed the sea to obtain a prolongation of the armistice. A resolution was, however, taken to arrest him on his return: but he disappointed his enemies, and shut himself up in his strong castle of Pontefract, till the king's mother, by repeated journeys and entreaties, reconciled the uncle and nephew, and also obtained a full pardon for her own son, sir John Holand §.

* Knyght. 2673. He assures us that for this last purpose no fewer than 80,000 axes were employed at the same time. Ibid.

† The princess of Wales had for her first husband sir Thomas Holand, who in right of his wife was created earl of Kent, and lord Wake of Lydell. She bore him two sons, Thomas Holand, who inherited the honours of his father, and John Holand, afterwards created earl of Huntingdon, and duke of Exeter.

‡ Wals, 309, 310.

§ Rym. vii. 446.—In a parliament held about the end of the year, a petition was received from the celebrated Alice Perrers. Soon after her con-

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In consequence of a treaty concluded at Paris, the king of France had sent to Scotland an aid of one thousand men at arms under the command of Vienne, with a subsidy of forty thousand livres in francs of gold, and armour for the equipmentof a thousand Scottish knights and esquires. It is amusing to read in Froissart the complaints of the Frenchmen after their arrival. The country was wild; the people were uncivilized; even Edinburgh, the capital, was inferior to the provincial towns of Tournay or Valenciennes. There were no banquets, no balls, no tournaments. The strangers were compelled to purchase the coarsest fare at an exorbitant price; and the jealousy of the natives refused forage for their horses, and hourly laid snares for their lives. For a long time only two of the nobility, the earls of Douglas and Moray, condescended to visit them; and when they were at last introduced to the king, they were shocked at "his red bleared eyes, of the "colour of sandal wood, which convinced them that he "was no warrior." It was the interest of the French to commence the campaign immediately: but the Scots demanded to be paid for fighting their own battles; and the forty thousand livres were distributed among them before they could be brought into the field*. They

A.D. 1385. May.

demnation, sir William Windsor, her husband, had presented a bill of errors against it. He stated in particular, that she had been impeached as a feme sole, though she had long been his wife; that she was tried in her absence; and that to obtain a favour from the king, the act of which she had been convicted, was a very different thing from soliciting causes in the courts, which alone had been forbidden by the statute. In return he obtained the restoration of her lands, with the exception of four manors, on condition that he served with 100 men at arms against France. He was now dead, and at her petition the judgment against her was entirely revoked, with a proviso that all alienations of property made in consequence of it should be deemed valid. Rot. Parl. iii. 40. 186. 327.

* Froiss. iii. xii. Rym. vii. 484. The livre was the nominal pound of 20 sols (Rym. ibid.): and 63 livres, 17 sols, 6 deniers, was the value of a mark, or eight ounces of gold. (L'Art de Vérifier les dates, i. 604.) The money was distributed among men of every rank from the prince of Scotland, who received 5500 livres, to John Gray, who was compelled to content himself with ten. Ibid. The quarto register of Robert II. quoted by Mr. Pinkerton, in his History of Scotland (vol. i. p. 165.) contains the agreement between the Scots and their auxiliaries before they began their expedition. It provides for the safety of persons bringing provisions to

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burst at length into Northumberland, and took three castles in the marches: but the approach of Richard with an army of eighty thousand men compelled them to retire with precipitation*.

July. This was the first time that the young king had appeared at the head of an army: but his progress was arrested at York by an unfortunate circumstance, which cast a gloom over the sequel of the expedition. In the city, or its neighbourhood, the son of the earl of Stafford, one of the royal favourites, was basely assassinated by the hand of sir John Holand. The father and the relatives of the slain loudly demanded justice; the queen mother implored the mercy of her son in favour of his brother. But Richard, who had not forgotten the death of the friar, was inexorable. He confiscated the property of the assassin, and threatened him with the gallows, if he ever left the sanctuary of St. John of Beverley. In a few days the unhappy mother died of grief: her guilty son waited till the anger of the king had subsided, obtained his pardon, and married Elizabeth second daughter of the duke of Lancaster†.

July 8.

Aug. 1. From York the king proceeded to Durham, where, in a council of war, the army was divided into three

the army in its march to the borders, and forbids pillage under the penalty of death. All are to wear a white cross of St. Andrew before and behind. If a Frenchman insult a Scot, he is to be arrested by the Scots, and brought before his own chief, and vice versâ. The punishment for a riot is the loss of horse and armour, if the offender be a knight; of a hand or an ear if he be not. The same punishment is to be incurred by the man who shall set fire to a church in England, kill a woman or child, or commit a rape. The prisoner shall belong to the man who first received his hand.

* These 80,000 men in the "Ordinaunce of the Three Battailes" published in the Archæol. xxii. 13, dwindle down to about one-fifth of that number. Little reliance is to be placed on the ancient historians when they state the amount of armies: but I doubt whether the "ordinaunce" contains the whole number of fighting men that accompanied Richard. It mentions all that were retained by the king and the lords. But were there no others, "the raskaldry," as Hardyng terms them? In Rymer, v. 557, we have an account of the retinues of the lords in an expedition into Scotland, amounting to 480 men at arms, and 480 archers: but we afterwards find that they were accompanied by 2400 archers de la commune.

† Wals. 316. Froissart attributes the murder to Holand's wish to be revenged for the death of one of his esquires, who in a quarrel had been killed by an archer belonging to sir Ralph Stafford. Froiss. xiii.

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battles and two wings, and a code of laws was enacted for the maintenance of discipline during the expedition. Thence this mighty host advanced by slow marches to the borders: but there they met with no enemy. The king of Scots, sensible of his inability to arrest, did not attempt to oppose their progress. Edinburgh, Dunfermline, Perth, and Dundee were reduced to ashes; and the vanguard had reached the walls of Aberdeen, when advice was received that the Scots were ravaging the counties of Westmoreland and Cumberland, and that Vienne had actually laid siege to Carlisle. By the advice of the duke of Lancaster, it was resolved to march back to the frontier, and to intercept the enemy on their return: but during the night fresh suspicions were infused into the mind of the king by the chancellor, sir Michael de la Pole; and the next morning he angrily told his uncle, "You, sir, may go with *your* Aug.
"men, wherever you think best. I with mine shall 30.
"return to England." "Then I shall follow you," rejoined the duke; "for there is not a man in your com-
"pany who loves you as well as I and my brothers;
"and if any one but yourself dare advance the contrary,
"I am ready to throw him my glove." The army was disbanded; and the Scots and French boasted that the havoc which they had wrought in Cumberland and Westmoreland more than balanced the destruction caused by the English in Scotland *.

In the next parliament the king confirmed the honours Nov.
which he had bestowed during the expedition on the 3.
borders of Tiviotdale. His uncles, the earls of Cambridge and Buckingham, who had been created dukes of York and Gloucester, were invested with the sword, Nov.
coronet, and cap of state, and received for the support of 12.
their new dignity a grant of lands from the crown to the yearly value of one thousand pounds. Henry of Bolingbroke son to the duke of Lancaster, and Edward

* Wals. 316, 317. Froiss. xiv. xv. xvi. Ford. xiv. 49, 50.

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Plantagenet son to the duke of York, were made earls of Derby and Rutland: Robert de Vere earl of Oxford, with the title of marquess of Dublin, obtained a grant for life of the revenue of Ireland, on condition of paying the yearly sum of five thousand marks into the exchequer; and Michael de la Pole was created earl of Suffolk, with the reversion of the estate of the late earl on the deaths of his widow and of the queen. Richard trusted that the princes of the blood, pleased with their own honours, would view the preferment of these two favourites with less jealousy*: but at the same time, to cut off the ambitious hopes of his uncle Lancaster, he declared Roger earl of March, the grandson of Lionel duke of Clarence, the presumptive heir to the throne†.

During the sitting of parliament an embassy from Portugal arrived in London. A few years before, Ferdinand the late king had concluded an alliance against the king of Castile, with the duke of Lancaster, and the earl of Cambridge, who advanced pretensions to the succession of that crown in right of their respective wives. The earl with a small but gallant army sailed to Lisbon; the duke had engaged to follow him: but his departure was prevented by the insurrection of the commons; and Ferdinand, finding himself unequal to the contest, concluded a peace with his adversaries. This king had forcibly carried off Leonora, the wife of Lorenzo d'Acunha, who was crowned queen, and bore him a daughter named Beatrice. While the earl of Cambridge remained at Lisbon, his son John was married to the princess. They were both of the same age, in their tenth year: but the earl, at his departure, refused to leave his son behind him; and Ferdinand soon after gave the princess, his only child, in marriage to John king of Castile, his former enemy. That prince, at the death of his father-in-law, demanded the crown in right of his wife.

A.D. 1383. Oct. 29.

* Rot. Parl. iii. 205—210. Rym. vii. 482. 505. Knyght. 2675.
† Lel. Coll. ii. 481.

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His claim was admitted by the nobility: but the four cities of Lisbon, Coimbra, Oporto, and Ourique, declared that they would never acknowledge the pretensions of an illegitimate daughter, whose mother's husband was still alive, and offered the crown to John, natural brother to the late king, and grand master of the order of Avis; who, to preserve himself on the throne, solicited the aid of the duke of Lancaster against their common enemy. The duke accepted the proposal with pleasure; Richard was glad of any pretext to remove him out of the kingdom; and of the supply voted for the year, one half was appropriated to defray the expenses of the expedition *. The winter was spent in collecting an army of twenty thousand men, in which were two thousand men at arms, and eight thousand archers. Before its departure the king presented his uncle, and the queen presented the duchess, with rich crowns of gold. The expedition sailed from Plymouth †, touched at Brest to relieve the garrison, and landed at Corunna. By the reduction of Gallicia, a road was opened into Portugal, where the duke was met by king John, and to cement their friendship a marriage was celebrated between that prince and Philippa the eldest daughter of Lancaster, by his first wife. But the next campaign proved unfortunate. The English army wasted away under the heat of the climate; the conquests made in the last year were rapidly lost; and the duke himself, to recover his health, was compelled to quit Portugal, and to take up his residence in Guienne. But these disasters were repaired by his policy. The duke of Berri had proposed to marry Catherine, Lancaster's only issue by his present wife Constantia, and heiress to her mother's pretensions to the crown of Spain. It was contrived that intelligence of this proposal should be conveyed to

A. D. 1385. April 6.

A. D. 1386. July 9 Aug. 9.

A. D. 1387. May.

* Rot. Parl. iii. 204.

† It was escorted by a Portuguese squadron of ten ships of wonderful magnitude, and of six galleys, some of which were worked with three hundred oars. Knyght. 2676.

the king of Castile, who immediately took the alarm, and offered to compromise the quarrel between the families, by the marriage of Henry, his son and heir, to the same princess *. The offer was accepted. Constantia waived her claim to the throne in favour of her daughter; the succession after the death of the present king was settled on Henry and Catherine, and their issue, and in failure of them, on the issue of the duke of York by Isabella, the sister of Constantia. Two hundred thousand crowns were paid to Lancaster to defray the expenses of the late expedition, and an annuity of one hundred thousand florins was settled on him, and another to the same amount on the duchess, during their respective lives. Henry and Catherine were married, and created prince and princess of Asturias. Their issue reigned over Spain for many generations †.

A. D. 1388.

If Richard mistrusted the ambition, he soon found reason to lament the absence of Lancaster, whose authority had hitherto checked the warmer passions and more precipitate counsels of his brother, the duke of Gloucester. But that prince now assumed the ascendancy; fomented the discontent of the nobility; new modelled the government; and left to his nephew little more than the empty title of king. The French, encouraged by the absence of the army in Spain, had seriously formed the design of invading England. Their preparations of arms, provisions, and ships were immense. Every baron and knight seemed ambitious of retaliating on the English those injuries which they had so frequently inflicted on France; the cavalry and infantry collected for the expedition exceeded one hundred thousand men; and the fleet, which had assembled in the port of Sluys, to use the exaggeration of a contemporary, was so numerous, that if the vessels had been laid side to side, they would have formed a bridge from one country to the other.

A. D. 1386.

* Froiss. ix. 24. 46. Walsing. 342.
† Rym. vii. 603. Knyght. 2673. Wals. 342.

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The intelligence of this formidable armament spread universal dismay: but levies were made, beacons formed, and troops collected in the most favourable situations. The earl of Arundel received the command of the fleet, with instructions to destroy the ships of the enemy as soon as they had landed their forces; and orders were issued to the troops to lay waste the country before the invaders, and avoid a general engagement *. The confidence of the nation revived: but the opportunity was seized by the great barons, under the guidance of the duke of Gloucester, to plot among themselves the overthrow of the administration. They contended that the king's officers converted the public revenue to their private emolument; that the commons, by continual taxation, had been impoverished; that the higher classes could not procure the payment of their rents; and that the tenants were in many places compelled to abandon their farms through distress †. How far these evils were chargeable on the administration, it is impossible to ascertain: that the young king was fond of expense in his household, we know: but it is also true that during the last year he had voluntarily remitted to the people a tenth and fifteenth, which had been granted to him in parliament ‡. The intended invasion, from unforeseen occurrences, was delayed from week to week, till it became necessary to postpone it to the following year; and Richard summoned a parliament to meet at Westminster, in which the two parties made the experiment of their strength. The session was opened by a speech Oct.
from the earl of Suffolk the chancellor, who informed 1.
the houses that in a great council at Oxford the king

* Froiss. viii. 7, 8. Knyght. 2679. The constable of France had ordered a fortress of wood to be formed of frame-work, and to be shipped for the use of the king, after he should have landed. But during the voyage from Treguier to Sluys his fleet was dispersed, and three ships with the frame-work and carpenters were taken. Richard ordered it to be put together, and exhibited at Winchelsea. Froiss. viii. 15. Knyght. 2679.

† Knyght. 2685.

‡ Rym. vii. 471. Rot. Parl. iii. 98.

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had proposed to lead an army into France in support of his right to the French crown; that it would be their duty to deliberate on the expediency or inexpediency of such a measure; and that, if it met with their approbation, they must be careful to provide the funds which would be necessary to defray its expense. But the lords and commons, instead of applying to these subjects, returned with a joint petition for the removal of the ministers and the members of the council, particularly of the chancellor, whom it was intended to impeach as soon as he should be deprived of office. Richard, if we may believe the suspicious assertions of his enemies, resolved at first to seize and imprison the chief of his opponents: but having sounded the dispositions of the mayor and citizens, and finding that he could not rely on their assistance, he abandoned the design, retired to his palace at Eltham, and ordered the two houses to proceed to the consideration of the supply. They refused to obey until he should grant their petition, and return to his parliament. After a struggle of almost three weeks he came to Westminster, dismissed the obnoxious ministers, gave the seals to the bishop of Ely, and appointed the bishop of Hereford treasurer. But this condescension, instead of mollifying, encouraged his adversaries; and the commons resolved to impeach the earl of Suffolk, the late chancellor, of high crimes and misdemeanors. Richard ordered them to send to him a deputation of forty knights; and received a refusal, under the pretence that the lives of the deputies would be in danger. At length a compromise was effected, and the king attended in parliament, as soon as he received a promise that none of his favourites or counsellors should be molested, excepting the chancellor *.

Oct. 23.

Oct. 24.

The first instance of a prosecution by the commons in parliament occurred about the close of the last reign, and has been noticed already: this is the second, but of

* Compare Knyghton (2680—2683) with the rolls of parliament (iii. 215. 231. 233. 242. 374.)

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greater interest from the more elevated rank and important situation of the accused. The bill of impeachment was divided into seven heads, charging the earl with having obtained from the king grants beyond his deserts, and contrary to his oath *; with having enriched himself by defrauding the crown; and with having put the great seal to illegal charters and pardons. He had intrusted his defence to his brother-in-law, sir Richard Scrope; but the lords observed that it would be more to his honour if he should conduct it himself, and he went through the different charges in order, contending that the more criminal of them were unfounded; and that the others did not include any legal offence. As to his deserts he would be silent, but hoped that what he had suffered for the king would not be forgotten. Here, however, sir Richard Scrope interposed. The accused, he remarked, had served in war thirty years as a knight banneret without disgrace or reproof; had thrice been a captive in the hands of the enemy, twice as a prisoner of war, once as envoy to a foreign state; and had been governor of Calais, admiral of the fleet, and often ambassador from the king. Nor was he raised from a low situation to the dignity of an earl, but was at the time, and had long been, a privy councillor, and chancellor, and possessed the property necessary for the support of that rank which was next to the rank of an earl. The managers for the commons were heard in reply, and the earl in rejoinder: after which, at the petition of his accusers, he was given in custody to the lord con-

* In taking the oath as chancellor, he had sworn not to permit the loss "or disherison of the king, but to do and seek his profit as far as he could "do it with reason." Hence it was maintained that knowing the king's wants, he could not accept of any grant from him. He replied that the words had not that meaning; that he could accept a grant from the king as well as any other person; and that the grant to him, with those to the duke of Gloucester and others, was confirmed in parliament. But in the judgment pronounced against him, it was said that no confirmation of the grant could be found on the rolls: a direct falsehood, as it is entered there exactly in the same words as the grant to Gloucester himself, to which no objection was made. Præsentibus prælatis, proceribus, magnatibus, ac tota communitate. Rot. Parl. iii. 206. 209.

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stable, and immediately enlarged upon bail. Within a few days the king and lords agreed in their award, by which he was acquitted on four charges; on the others his answers were pronounced insufficient; and he was therefore adjudged to forfeit the several sums specified in those charges, and to be confined in prison during the king's pleasure *. It is needless to say that soon after the dissolution of the parliament he was released.

This prosecution deserves to be remembered by posterity, as it confirmed to the commons their new claim of impeaching the ministers of the crown: but both the proceedings and the result seem to prove that the administration of Richard had not been so arbitrary and oppressive as we might otherwise have been led to suppose; and will justify a suspicion that the prosecution of the chancellor had been undertaken for the purpose of intimidation rather than of punishment. But now the objects of the party in opposition to the court more clearly unfolded themselves, and it was proposed to imitate the precedents of the reigns of John, Henry III., and Edward II., by establishing a permanent council with powers to reform the state of the nation. To such a measure the king declared that he would never give his assent. He threatened to dissolve the parliament; and the commons, to terrify him, sent for the statute by which Edward II. had been deposed from the throne †. At length one of the lords represented to him, by desire of the duke of Gloucester and the earl of Arundel, that if he should persist in his refusal, his life would be in danger; that the lords and commons would separate without his permission; and that he would then see in
Nov. what a forlorn and abandoned state he would be left ‡.
19. His obstinacy was subdued; and with a reluctant hand he signed a commission to eleven prelates and peers, besides the three great officers of state, appointing them

* Rot. Parl. 216—220. † Ibid. iii. 233. ‡ Ibid. 374.

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a permanent council to inquire into the conduct of the officers in his household, courts of law, and every part of the kingdom; into the accounts of the treasury, the gifts and pardons which had been granted, and the alleged grievances of the people; to hear and determine all complaints which could not be redressed by common course of law; and to provide such remedies for all abuses as should appear to them good and profitable *. The duke and earl were of the number; and, as the majority of their colleagues belonged to the same party, they possessed, in effect, the whole power of the government. To protect them in the execution of their office, the commons petitioned that from the moment any opposition should be made to their authority, the payment of the subsidy, which had been voted, should cease; and that the authors, advisers, or abettors, of such opposition should for the first offence be liable to forfeiture and imprisonment, and for the second to the loss of life or member †. Richard gave his assent: but refused to extend the duration of the commission beyond twelve months; and at the close of the session had the courage to protest openly and in person against any thing done in that parliament, which might turn to his prejudice, or prove contrary to the liberties and prerogatives of his crown ‡. Nov. 28.

The commissioners appear to have commenced their labours with examining the accounts of the officers employed in the collection of the revenue; and the sequel affords a strong presumption that the royal administration had been foully calumniated. We hear not of any frauds discovered, or of defaulters punished, or of grievances redressed §. The earl of Arundel alone, who had been appointed admiral of the fleet, reflected a lustre on A.D. 1387.

* Rot. Parl. 375, 376. Stat. of Realm, ii. 39.
† Knyght. 2692. Stat. of Realm, ii. 42. ‡ Rot. Parl. 222, 225.
§ Froissart, indeed, tells us that sir Simon Burley was fined 200,000 francs, and imprisoned. But his whole narrative differs so widely from the authentic particulars contained in the rolls, that it deserves no credit. It seems to be made up of every flying report which reached him.

the new administration. On different occasions, during the season, he captured one hundred and sixty sail of vessels richly laden, and principally with wine; he relieved the garrison of Brest, and took two forts in the neighbourhood of the town, of which he burnt one towards the sea, and delivered the other to the care of the governor. Thence sailing to Sluys, he destroyed the ships in the harbour, landed his troops, and laid waste the country to the distance of ten leagues *.

It was not, however, to be expected that a prince, who had now reached his twentieth year, and who had in a more early age given proof of abilities and courage, would tamely acquiesce in his own degradation, or that his favourites would neglect to provide for their security by endeavouring to restore the ascendancy of their protector. To emancipate himself from the actual control of the commissioners, Richard made a journey on one occasion to York, and on another to Chester. Wherever he came, his arrival was distinguished by some act of grace. The gentlemen of the county, and the chief burghers in the towns, were invited to the court of their young sovereign; and few refused to wear his livery, and bind themselves by oath to stand in his defence against all manner of men. At Shrewsbury he held a council of several judges, and a few days afterwards another at Nottingham †; in which he enjoined them on their allegiance to inform him what was the law of the land on the different questions which should be laid before them. In their reply they maintained, that the commission which had superseded the king in the exercise of the royal authority was subversive of the constitution; that those who introduced the measure, and

Feb. July. Aug. 20. 25.

* Knyght. 2692, 2693. Wals. 326.

† At the first of these councils were present sir Robert Bealknap, chief justice, sir John Holt, and sir William Burgh, justices of the king's bench, and sir John Cary, chief baron of the exchequer; at the second the same persons, with the exception of the chief baron, and with the addition of sir Robert Tresilian, lord chief justice, sir Roger Fulthorpe, justice of the king's bench, and John Lokton, the king's serjeant at law.

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those who exhorted the king to agree to it, were liable to capital punishment, and all who compelled him to assent, or prevented him from exercising his rights, were traitors; that the king, and not the lords and commons, had the power to determine the order in which questions should be debated in parliament; that the king could dissolve the parliament at pleasure, and that those who acted in defiance of such dissolution were traitors; that the lords and commons could not, without the king's permission, impeach his officers and justices; that both the member who moved for the statute of the deposition of Edward II. and he who brought it to the house, were traitors; and that the judgment given against the earl of Suffolk was erroneous in all its parts. They affixed their seals to this answer, and promised on their oaths to keep it secret: but the next day it was betrayed by sir Roger Fulthorpe, one of the number, to the earl of Kent, and was by him communicated to the duke of Gloucester *. Aug. 26.

Richard, ignorant of this unfortunate discovery, proceeded to make arrangements for the resumption of the royal authority, at the expiration of the year allotted to the commissioners. To secure a majority in the next house of commons, he sent for the sheriffs, who, if we believe some writers, gave him slender hopes of success. It was determined to arrest the most obnoxious of his opponents, and to send them to take their trials before the judges who had already given their opinions on the question of law; and for this purpose Thomas Usk was appointed sub-sheriff of Middlesex, and John Blake, the referendary, was employed to prepare a bill of indictment for a conspiracy against the royal prerogative †. Sir Nicholas Brembre, who had been thrice mayor of London, undertook to secure the fidelity of the citizens;

* Rot. Parl. iii. 232, 233. Knyght 2692—2696.

† I have neglected many circumstances mentioned by historians, as I consider them mere fictions invented by the king's enemies: the intention of indicting the framers of the commission I have admitted, as the indictment itself is still extant on the rolls, p. 234.

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and even swore the different companies to be ready to live and die with the king, and to oppose his enemies to the last breath. The commission was to expire on the nineteenth of November: on the tenth Richard entered
Nov. 10. the capital. He was received with unusual expressions of joy and respect: the mayor and principal citizens wore his livery of white and crimson; and an immense crowd accompanied him to the church of St. Paul's, and thence to his palace at Westminster*.

Nov. 11. Elated with his reception, the king retired to rest: the next morning he learned with astonishment that a numerous body of forces had reached the neighbourhood of London under the command of the duke of Gloucester, and the earls of Arundel and Nottingham, the constable, admiral, and marshal of England. They had concerted their measures with such secrecy as to elude suspicion, and had carefully watched all his motions on
Nov. 12. his return to the capital. A royal proclamation was issued the next day forbidding the citizens to lend assistance, or to sell provisions, to the armed force in the neighbourhood; but the following morning the confederates advancing to Hackney with forty thousand men, sent a letter into the city, in which they assured the mayor and aldermen that their only object was to deliver the king from the hands of the traitors who kept him in thraldom; commanded them with severe threats to give their aid to the same loyal cause; and required
Nov. 13. an immediate answer. The ensuing day they were joined at Waltham cross by the earls of Derby and Warwick; and these five noblemen, in presence of the
Nov. 14. commissioners, "appealed" (such was the term they used) five of the king's favourites of treason. Richard, unable to resist, consented to receive the complaints of
Nov. 17. the lords appellants on the next Sunday. They entered the city with every precaution against the pretended treachery of their enemies; stopped to examine all the

* Rot. Parl. iii. 234. Knyght. 2696. Wals. 330. Mon. Evesh. 85.

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houses in the mews; and kept the king waiting two hours on his throne in Westminster hall. But in his presence they behaved with the semblance of humility. At the entrance of the hall, on the lower and on the upper step of the throne, they bent the knee before him. He arose, gave his hand to each, and bade them present their petition. They began with the most solemn protestations of attachment and loyalty; then accused of treason the archbishop of York, the duke of Ireland, the earl of Suffolk, sir Robert Tresilian, false justice, and sir Nicholas Brembre, false knight; and lastly, throwing their gauntlets on the floor, offered severally to prove the truth of the charge by single combat. Richard answered, that he would summon a parliament, in which justice should be done; and that in the mean time he took both parties under the royal protection. He then invited the appellants into another room, where they partook of refreshment with him in the most friendly manner *.

It now became evident that flight alone could save the obnoxious councillors. The earl of Suffolk, on the second attempt, succeeded in reaching the frontiers of France; the archbishop effectually concealed himself in the vicinity of Newcastle; and the duke of Ireland repaired to the northern borders of Wales. Here, however, he received letters from the king, authorizing him to raise forces, and promising to join him on the first opportunity. With joy he unfurled the royal banner; and his hopes were encouraged by the accession of Molyneux the constable of Chester, with a strong body of archers. The intelligence of his rising was received with secret pleasure by the duke of Gloucester, who now ventured to disclose his real designs. He consulted several clergymen and sages of the law, in what cases a vassal would be justified in giving back his homage; and in a meeting at Huntingdon agreed with the earls

* Rot. Parl. iii. 229. Knyght. 2697—2701. Wals. 330, 331.

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of Arundel and Warwick, and the Lord Thomas Mortimer, "to depose Richard, and take the crown under his "own custody." It was afterwards pretended that in adopting this resolution they had no design to deprive the king of the royal dignity in earnest, but merely to intimidate him by reducing him for a few days to the condition of a private individual. But whatever might be their real intention, it was defeated by the opposition of the earls of Derby and Nottingham, who, though they were willing to pursue the favourites unto death, would never consent to deprive the king of his crown *. In the mean time the duke of Ireland at the head of five thousand men rapidly advanced towards the Thames. His first object was to pass that river, probably in consequence of secret instructions from Richard; but the appellants, acquainted with his motions, marched in the night by different roads from the neighbourhood of London, and occupied all the passes before his arrival. He
Dec. first made his appearance at Radcot. The width of the
20. bridge had been diminished, so that only one man could cross at a time; three barriers were raised athwart it; and the earl of Derby lay behind with a powerful force. Aware of the danger, he turned immediately to seek another passage, but was met in front by his enemy of Gloucester, and followed by the earl of Derby, who on his departure had crossed the bridge. In this emergency the duke threw off his armour, plunged into the river, and quitting his horse, swam to the opposite bank. It was growing dark, and a report fortunately prevailed that he had been drowned. Molyneux, one of his valets, and a boy were killed: a few perished in the waters; the rest were stripped completely naked, and told that they might return home. After a lapse of some weeks it was announced that the duke had escaped to Ireland †.

The appellants, on their return to London, took from

* See the charges against the duke (Rot. Parl. iii. 376) with his answer (ibid. 379).

† Rot. Parl. 236. Knyght. 2701—2703. Wals. 332.

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the mayor the keys of the city, and required an audience of the king, who had retired into the Tower. The intimidated monarch yielded to all their demands. A proclamation was issued for the arrest of the fugitive archbishop, duke, and earl: eleven of the royal confidants were secured in different prisons; and ten lords and knights, with the ladies Poynings, Mohun, and Molyneux, were dismissed from court, and compelled to give security for their appearance before the next parliament. That Richard in his distress might not have a single person to whom he could unbosom himself, even his confessor, the bishop of Chichester, was forbidden to come into his presence *. Dec. 26.

In the writs which had already been issued for the convocation of parliament the king had instructed the sheriffs to return such knights of the shire as had not taken any part in the late quarrel. These writs were now recalled, and new ones were issued in the accustomed style †. As soon as the parliament had been opened by the chancellor, the duke of Gloucester rose, knelt to the king, and complained that he had been suspected of aspiring to the crown: but Richard immediately interrupted him by strongly asserting his own conviction of the innocence of his uncle. The lords appellants then exhibited thirty-nine articles of impeachment against the five appellees: the latter, with the exception of sir Nicholas Brembre, who was in prison, were called, but did not answer to their names; and judgment was immediately prayed against them for their default. But the decision was put off till the next day; and all the judges, with the exception of sir William Skipwith, were arrested on their seats in court, and committed to separate cells in the Tower ‡. A.D. 1388. Jan. 1. Feb. 3.

The next morning the king called upon "the sages of "the common and civil law" to give to the lords their

* Knyght. 2705. Wals. 333, Otterburne, 174. Rym. vii. 566, 567, 568.
† Rym. vii. 566. Rot. Parl. iii. 400.
‡ Rot. Parl. iii. 228—236. Knyght. 2706. Wals. 334.

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opinion respecting the bill of impeachment; who unanimously declared that it was in all its parts informal and illegal. The peers, however, resolved to proceed: they were bound, they said, by no other law than the law and custom of parliament; the kingdom of England had never been governed by the civil law; nor would they, in the exercise of their jurisdiction, be guided by the practice of the lower courts. With the assent of the king the appeal was declared to be "good and effectual according to the law and course of parliament." The appellants again demanded judgment; but the house adjourned till the next day, when the demand was repeated, and the primate instantly rising, observed, that in obedience to the canons, which forbade the clergy to interfere in judgments of blood, he and the other prelates should depart; but that, before their departure, they would protest that their absence should neither create any prejudice to their own rights as peers, nor detract from the effect of such judgment as might be given by the temporal lords without their concurrence. All the bishops and abbots immediately left the house *.

Feb. 5.

Eight days were spent in examining the bill of impeachment. It gave a detailed history of the conduct of the appellees from the commencement of the late parliament; attributed to them several projects too absurd to deserve belief; and averred that their constant aim had been to compass the destruction of the lords commissioners, the appellants, and their associates. Of the thirty-nine articles contained in this instrument, fourteen were declared to amount to treason: the accused were found guilty of them all; and the duke, the earl, and Tresilian were separately adjudged to suffer the death of traitors, and to forfeit their property to the king. The fate of the archbishop of York, on account of the novelty of the case, was reserved for future delibe-

Feb. 13.

* Rot. Parl. 236, 237. 244.

ration; and in the mean time, his temporalties were confiscated. But of these victims three were already beyond their reach. The earl of Suffolk had arrived at Paris. He was kindly received by the French king, but died of despair before the end of the year. The duke of Ireland had found an asylum in Holland; and the archbishop was still concealed in Northumberland *. But Tresilian, who had disguised himself, and occu- Feb.
pied a lodging in front of the palace, was betrayed by a 19.
servant, brought before the lords, and hurried away to Feb.
execution. The next day the same fate befel sir Ni- 20.
cholas Brembre, who in vain protested his innocence, and offered wager of battle to his accusers.

After a short interval, the four judges of the king's Mar.
bench, the chief baron of the exchequer, and the king's 2.
serjeant at law, were impeached of treason by the commons, on the ground, that knowing the traitorous intention of those who proposed the questions at Shrewsbury and Nottingham, they had, to please them, given answers contrary to law. They all replied in the same manner, that their answers had been extorted from them by threats, and that therefore they hoped for mercy. Fulthorpe added, that he had the next day disclosed the whole business to the earl of Kent. They were re- Mar.
manded: but Blake and Usk, who replied, that what- 3.
ever they had done, had been done by the king's orders, were told that their defence was an aggravation Mar.
of their crime, because they knew that the king was not 4.
his own master, but under the control of the appellees.

* The duke died at Louvain in 1392, of a wound received in hunting a wild boar: to the duchess was allowed 100 marks per annum for her support. The archbishop, at the request of the government, was translated by the pope from York to St. Andrew's. But as the Scots did not admit the authority of Urban, he sailed to Flanders, accepted a small curacy, and served it till his death. The bishop of Ely, the chancellor, was translated to York, Fordham of Durham to Ely, Skirlaw of Bath and Wells to Durham, and Ergham of Salisbury to Bath and Wells. By these translations the friends of the appellants were exalted, those of the king depressed. Rym. vii. 574—577. All these changes took place during the sitting of parliament. Rot. Parl. 237, 238. Knyght. 2709.

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They were condemned and executed. The judges were soon afterwards called in, and informed, that by award of the high court of parliament, they had been condemned to suffer the penalties of treason; but at the very moment the bishops entered the house, and begged that a stop might be put to the effusion of so much blood. At their intercession the lives of the condemned were spared: but they were banished for life, and confined in different cities in Ireland *.

Mar. 6.

The same day the bishop of Chichester, the king's confessor, was impeached of having used threats to the judges at Nottingham, concealed the objects of the traitors, and exposed, by his connivance, the whole realm to danger. He replied that no threats had ever been used to the judges; that he was under the obligation of secrecy as to the answers; and that he had taken care that no evil should arise from the transaction. He was condemned to exile in Ireland †.

If revenge or intimidation had been the object of Gloucester, he might now have been satisfied: but his thirst for blood was still unsatisfied; and four knights, the earliest and steadiest friends of the king, were impeached by the commons as aiders and accomplices of the traitors already condemned. They pleaded not guilty, and offered to prove their innocence as true knights in any manner which the lords should award. It had become the policy of the royalists to prolong the deliberations; and eight days were consumed in investigation and debate, till the approach of the Easter holidays suggested the necessity of adjournment. On the last day the lords and commons granted the king a subsidy

Mar. 12.

Mar. 20.

* Rot. Parl. iii. 238—241. They were disposed of in the following manner:—sir Rob. Bealknap, at Drogheda, with an allowance of 40*l.* per ann.; sir John Holt, ditto, 40 marks; sir Rog. Fulthorpe, Dublin, 40*l.*; sir Will. Burgh, ditto, 40 marks; sir John Cary, Waterford, 20*l.*; John Lokton, ditto, 20*l.*

† Rot. Parl. iii. 241. 243, 244. Cork was assigned for his residence, with permission to receive 40 marks per annum from any of his friends who might allow him so much.

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till the feast of Pentecost; and took an oath to stand by the lords appellants during the present parliament, and to live and die with them against all men. The two houses were then adjourned by the king till the Monday fortnight after the festival of Easter *.

During the recess every effort was employed to save the lives of the four knights, particularly of sir Simon Burley. He had belonged to the court of Edward III.; had been selected by the black prince as guardian to Richard; and had negotiated the marriage between his sovereign and the present queen. He was attached to the king as to his son; and the king loved and revered him as a father. On these accounts Richard earnestly solicited Gloucester to spare him; but received for answer, that if he meant to keep his crown, he must consent to the execution of his favourite †. The queen on her knees seconded the prayer of her husband: but neither her rank nor beauty, her tears nor entreaties, could soften the heart of the tyrant. The task was then undertaken by the earl of Derby, one of the appellants; and a fierce but fruitless quarrel between the uncle and nephew served only to prove that no consideration could move the duke from his sanguinary purpose. When the parliament re-assembled, the inquiry was resumed; Richard obstinately maintained that Burley was innocent; and for three weeks by refusing his assent averted the fate of his friend. At length, on an occasion when the king, and the lords who supported him, were absent, the opposite party resolved that one out of the thirteen counts in the impeachment had been brought home to the prisoner. He was called in, and immediately condemned on the vague charge of having conspired with other traitors to compass the death of

Apr. 13.

May 5.

* The sheriffs were ordered to administer the same oath to all men in office, and all gentlemen, and persons of influence in their counties, vii. 572. See the return from the county of Lincoln, Rot. Parl. iii. 400.

† Qe s'il voloit estre Roy, covient estre perfourne et fait Rot. Parl. iii. 431.

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those who had established the late commission of government. He suffered the same day; and the only indulgence which he could obtain, was a commutation of the more ignominious part of the punishment into decapitation *.

May 12. A week later was decided the fate of Burley's fellow-prisoners, sir John Beauchamp, sir James Berners, and sir John Salisbury. The two former were convicted of treason, for having estranged the king's affections from his loyal subjects, and attached him to themselves; the latter for having consented to pass the seas, and solicit the aid of the king of France in favour of the five lords appealed of treason. All were immediately led to execution; Salisbury was drawn and hanged: but the king interposed in favour of the other two, and obtained the consent of the lords that they should be beheaded †.

The work of blood was now ended; and "the wonderful parliament," as it was called by some, or "the merciless parliament," as it was more justly called by others, after a long session of one hundred and twenty-two days was dissolved. Before its termination an order had been issued for the expulsion of the Bohemians, who attended the queen, and a pardon granted not only to the appellants and their friends, but also

* Rot. Parl. 241—243. 376. In the rolls of this parliament he is said to have been condemned with the *assent* of the king (Rolls, 243): in those of the 21st of Richard, without his assent, against his will, and in his absence. Rolls, 376.

† Rot. Parl. iii. 243. The manner in which these trials were conducted does not appear very consistent with our notions of justice. The impeachment was first read over in the presence of the accused, who spoke without the aid of counsel in his own justification. The commons replied: and the lords resolved to "examine the charges and the circumstances with good deliberation, and to give such judgment as should be to the honour of God, and the profit of the king and the kingdom." (Ibid. 240, 241.) In this "good deliberation" days and weeks were consumed: but there is no hint that the prisoner was ever heard again in his defence, or counsel introduced, or witnesses examined. We only learn that the lords decided among themselves, whether the accused were guilty of any one or more of the counts in the impeachment, and whether such count or counts amounted to treason. As soon as this was determined, he was called in to receive judgment, and led immediately to execution. Ibid. 240. 243, 244.

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to the adherents of the opposite party, with the exception of eighteen persons by name. The parliament was, however, careful to incapacitate the king from reversing the attainders which had been passed, or recalling to England such of the attainted as had escaped to foreign lands, and to remunerate the services of the lords appellants with a present of twenty thousand pounds out of the new subsidy. Their last legislative act amounted to a condemnation of themselves. It was an ordinance that, "whereas several points had been declared treason "in the present parliament which had never been so "declared by any statute, no judge should on that ac-"count have power to give judgment of treason in any "other case or manner than he had before the com-"mencement of their proceedings." At the conclusion the king was compelled to take the coronation oath a second time; the prelates renewed their fealty, the lords their homage; and all swore never to agree or suffer that any judgment given in that parliament should be reversed, nor that any statute enacted in it should be repealed *.

June 2.

June 3.

For nearly twelve months Richard continued a mere cipher in the hands of the party. The duke governed with greater lenity than might have been expected from his vindictive disposition: but his administration was not distinguished by any act of sufficient importance to dazzle the eyes of the nation, or to give stability to his power. The invasion so often threatened from France was repeatedly averted by the dissensions which broke out in that kingdom; and the war with Scotland was productive of little profit or glory. The earl of Arundel had, indeed, the good fortune to capture a fleet of French merchantmen: but, on the other hand, the Percies lost against the Scots the battle of Otterburne in Northumberland, in which, if the earl Douglas was slain, the lords Henry and Ralph Percy, the English generals,

Aug. 9.

* Rot. Parl. iii. 244. 247—252. Stat. of Realm, ii. 43—50.

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A.D. 1389. were made prisoners*. The terror which Gloucester had inspired insensibly wore away; several of his partisans offered their services to the king; and Richard, by one bold action, instantaneously dissolved that authority which had been cemented with so much blood. In a great council held after Easter, he unexpectedly requested his uncle to tell him his age. "Your high-"ness," the duke replied, "is in your twenty-second "year." "Then," added the king, "I must certainly "be old enough to manage my own concerns. I have "been longer under the control of tutors than any ward "in my dominions. I thank ye, my lords, for your past "services, but do not require them any longer." Observing their surprise, he followed up the blow by demanding the seals from the archbishop of York, and the keys of the exchequer from the Bishop of Hereford. A new treasurer and new chancellor were appointed; the former council was dismissed; and the king gave his confidence to a few tried friends, with the duke of York and the young earl of Derby, who, though they originally belonged to the commission, had either never forfeited, or had regained the royal favour. Gloucester submitted with reluctance, and after an interview with his nephew retired into the country: Richard by proclamation informed the people that he had taken the reins of government into his own hands, that he intended faithfully to maintain the ordinances of the parliament at Westminster, and that he should suspend the collection of the subsidy, which had lately been granted, till he was better convinced that his necessities required it†.

May 3.

May 8.

The king was now his own master; and whether it were owing to his wisdom or the wisdom of his ministers, it must be owned that for some years his administration was tranquil and happy. The merit indeed of suspending the war with France must be claimed by

* See the two ballads on it in the "Reliques of ancient English poetry," and the "Border Minstrelsy." Also Froissart, ix. 37—42.

† Knyght. 2735. Wals. 337. Rym. vii. 617. Rot. Parl. iii. 404.

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Gloucester, under whose administration the treaty was commenced; but Richard had the good sense to continue it to a conclusion; and, relieved from the pressure of foreign hostility, made it his endeavour to preserve uninterrupted harmony between himself and his people. He frequently met his parliament; consulted it on all matters of importance, and appeared anxious to deserve its approbation. On one occasion he ordered the chancellor, treasurer, and other members of his council, to resign; and openly invited every person, who felt himself aggrieved by them, to bring his charges against them as private individuals. The next day the two houses bore an honourable testimony to their integrity, and they were restored with applause to their former offices*. In return for his condescension, both lords and commons were liberal in their grants, and successively confirmed by their votes the acknowledged prerogatives of the crown†. Though he retained a deep sense of the injuries which he had suffered, he had the prudence to suppress his resentment; and, on the return of the duke of Lancaster from Guienne, recalled the duke of Gloucester to a seat in the council‡. He even affected an indifference to the lot of his friends, who had been banished to Ireland, till he was able to serve them without danger or opposition. His former confessor he promoted to a bishopric in that island; and, as the revenue was moderate, added to it a small annuity. With the consent of parliament he recalled to London the three surviving judges; and, as soon as he heard of the death of the duke of Ireland, granted a full pardon to sir John Lancaster, the companion of the exile, and restored the earldom of Oxford in favour of the duke's uncle sir Aubrey de Vere§. Three years later he ventured to give a stronger proof of his affection for his unfortunate friend. He ordered the body, which had

June 18.

A. D. 1390.

* Rot. Parl. iii. 258.
† Ibid. 279. 286.
‡ Ibid. 316. Acts of Council, i. 17.
§ Ibid. 302, 303. 346.

been embalmed, to be brought from Louvain, and re-interred it with great solemnity in the church of Colne. Before the completion of the ceremony the coffin was opened by his orders, and the covering removed from the face. The features were still discernible; and the king gazed on it for some minutes with visible emotions of the most poignant grief*.

A. D. 1378. Nov. It was during this period of comparative tranquillity that the legislative enactments against papal provisions and reservations were completed. As soon as the king of France had espoused the cause of the cardinal of Geneva against Urban VI., the claims of the two competitors were canvassed in parliament; and at the suggestion of the primate and the other prelates, it was determined to acknowledge Urban, and to obey him, as the rightful head of the church. The legislature even went farther, and by statute confiscated the revenues of the cardinals who rejected Urban, and put out of the king's protection every English subject who should make application to his adversary, as the real pontiff†. A.D. 1379. May 11. In return Urban issued in favour of the king a bull, by which the two next vacant prebends in each collegiate church were reserved, and the nomination was transferred from the bishops and chapters to the crown‡. But the harmony between the two courts was disturbed by the ambition of Edward Bromfield, the agent at Rome for the abbey of St. Edmund's; who, on the decease of his abbot, procured by false suggestions that appointment from the pontiff, and returning to England, took possession of the abbey in virtue of the papal provision. He was instantly apprehended under the statute of provisors passed in the late reign, and committed to the Tower§. This event attracted the notice of the public; complaints were made in parliament of new provisions granted to several cardinals; and by an additional

* Wals. 352.
† Rot. Parl. iii. 48. Rym. vii. 222.
‡ Rym. vii. 216.
§ Wals. 230, 231. 236.

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enactment it was ordained, that if any of the king's subjects should, without his license given with the advice of the council, farm or administer the benefice of any alien within the realm, or in virtue of such administration should convey money out of the kingdom, he should for the same offence incur all the penalties comprised in the statute of provisors of the 27th of Edward III *. A. D. 1380. Jan. 16.

Bromfield's affair was compromised by his translation to a different benefice. The king granted the necessary licenses to the attorneys of the cardinals enjoying preferment in England †; and the pope confirmed the concordat of Bruges between Edward III. and Gregory XI ‡. But, though Urban was willing to concede other points, he still refused to surrender the claim which had for centuries been exercised by his predecessors of presenting to such benefices as became vacant in the court of Rome by the death or the promotion of the incumbents §; and the parliament three years afterwards confirmed the former statutes, and, as an additional safeguard, extended the penalties of the late act to all foreigners residing on benefices obtained by provision, whether they held them for themselves or for the profit of others. The king, however, was permitted to dispense with this act in favour of the cardinal of Naples, and such persons as might render particular services to the crown ‖; an exemption which tended in a great measure to render the statute nugatory; for as the cardinals in possession of English benefices generally died at Rome, the pope instantly conferred their livings on the surviving cardinals, who found no difficulty in obtaining the royal license; and the other preferments which became vacant in that court were frequently at the king's request bestowed on his own chaplains, as the cheapest means by which he could remunerate their services ¶. A. D. 1383. Nov.

* Rot. Parl. iii. 82, 83.
† Rym. vii. 253. 256. 258, 259, &c.
‡ Rym. vii. 384.
§ Ibid. 321. 428. 437.
‖ Rot. Parl. iii. 163. Stat. of Realm, ii. 35.
¶ Rym. vii. 684.

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These evasions of the spirit of the law did not escape the observation of those who were enemies to the system of provisions; and in consequence of their reiterated complaints it was enacted in the parliament holden in 1390 that all provisions granted before the twenty-ninth of January in that year should be valid; that all granted afterwards should be of no effect; that every person who should accept of a benefice contrary to this statute should forfeit his lands and chattels, and be banished for life; that whoever should bring or send into England any papal sentence or excommunication against any person for the execution of this statute should, besides forfeiture, incur the penalty of life and limb; and that whoever should publish such sentence or excommunication should, if he were a prelate, lose his temporalities; if of inferior rank, suffer imprisonment, and make fine at the king's pleasure *. But the last clause appeared to bear so hard on the clergy, that the spiritual peers, though they had concurred in all the other statutes against provisions, unanimously protested against this, "inasmuch as it might tend to "restrain the authority of the apostolic see, or to sub-"vert the liberties of the church." By the king's order the protestation was read in parliament, and entered on the rolls †.

A. D. 1390. Jan. 17.

Shortly afterwards Richard held a great council, and in his own name, and the names of the principal barons and knights, wrote to the pontiff, explaining their grievances, and requesting his holiness to devise some prompt and efficacious remedy for the evil. What answer was returned does not appear. Urban died, and was succeeded by Boniface IX., who declared the statutes enacted by the parliament of no effect ‡, and among other provisions granted a prebend in the church of Wells to cardinal Brancacio, who immediately began a suit in

A. D. 1391. Feb. 4.

* Rot. Parl. iii. 266. 270. Stat. of Realm, ii. 73. † Rot. Parl. iii. 264.
‡ Fuisse et esse cassa et irrita, ipsaque ex superabundante cassamus, irritamus, et juribus vacuamus. Apud Raynald. v. 162.

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the papal court against William Langbroke, the king's presentee *. The controversy was immediately revived: the king's courts decided in favour of Langbroke: but rumours were circulated, that, if the prelates executed the decrees of such courts, they would be exposed to ecclesiastical penalties. In the next parliament the commons petitioned the king to inquire of all estates, in what manner they would behave in the two following cases: 1°. If the pope were to issue sentences of excommunication against the bishops for instituting the king's presentees in consequence of the judgment of the king's court; 2°. If, for the same reason, he should attempt to translate the bishops from their present sees to other sees out of the kingdom †. The answer returned by the commons was, that such proceedings would be subversive of the rights of the crown, and that they would therefore stand by the king against them to live and die. The reply of the temporal lords was nearly to the same effect. The prelates declared that it was not their intention to deny that the pope could issue sentences of excommunication, and translate bishops according to the law of the holy church, but to do so in the cases proposed would be to invade the rights of the crown, which they were determined to support with all their power ‡. In consequence of these answers, was drawn up the last and most comprehensive of the statutes of provisors or premunire, by which it is provided that, if any man pursue or obtain, in the court of Rome, or elsewhere, such translations, excommunications, bulls, instruments, or other things, against the king's crown and regality, or kingdom, as aforesaid, or bring them into the realm,

A. D. 1392. Aug. 14.

A. D. 1393. Jan.

* Rym. vii. 734.

† It is rather laughable to observe how soon the parliament began to fear that its own artifice might be turned to its prejudice. The plan of translating bishops out of the kingdom had been invented by the duke of Gloucester's party to get rid of the archbishop of York. But it now became evident that, if the pope could do this to punish a prelate who had offended the ruling party, he might do the same to punish a prelate from whom he himself had received offence.

‡ Rot. Parl. iii. 304.

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or receive, notify, or execute them either within the realm or without, such person or persons, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be out of the king's protection, their goods and chattels, lands and tenements, shall be forfeited to the king, and their persons attached wherever they may be found*.

There is reason to believe that, when this bill was discussed in the house of lords, it met with considerable opposition. It was at least withdrawn by the commons, who agreed that the king should refer the whole matter to his council, and have full power to make such alterations and ordinances as he might think fit, and to carry them, when made, into execution †. Though they expressed a hope that, when it was thus amended, they should assent to it at the next parliament, it does not appear to have been ever laid before them again; but to have been occasionally acted upon, and occasionally modified, as suited the royal convenience. The pope was still careful to bestow the English benefices of the deceased cardinals on their survivors: but frequently the king was also careful to present to them himself. On each of these occasions the old contest was fought over again; and in every case the provisor was compelled to relinquish his pretensions, and the pope, that

* Stat. of Realm, ii. 84, 85.

† Fait a remembrer touchant l'estatut des provisours, qe les communes, pur la grante affiance. . . . . s'accorderent et assenterent en plein parlement, qe nre dit Sr le Roi, par bone deliberation et assent des seigneurs et de son sage conseill, preigne toute la matire a luy, et q'il eit plein poair et auctorite de modifier le dit estatut, et ent ordeiner par deliberation et assent susditz en manere come luy semblera meutz. Rot. Parl. iii. 301.—Four years afterwards another memorandum to the same import, and nearly in the same words (the king was to alter it par assent et advis de tieux sages et dignes persones queux lui pleira appeller pur conseiller en le matiere) is inserted in the rolls: and it is added, that immediately afterwards the prelates protested, that, if any ordinance were made which should restrain the power of the pontiff in the business of provisions, or derogate from the liberties of the church, they neither could nor ought to assent to it. Rot. Parl. iii. 340, 341. Hence I think it plain that this statute was never properly passed in parliament, and on that account does not appear in the rolls. It was, however, acted upon by the king's council; and is referred to in the 25th Hen. VIII. c. 20, and 2nd Philip and Mary, c. 8.

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he might save his own claim, conferred the benefice on the king's presentee. Convinced by experience of their inability to continue the contest with honour to themselves, the pontiffs negociated with the court, and assented to such modifications of the statute as the king thought it prudent to make. Provisions in favour of aliens, unless they were cardinals, were entirely abolished, and those in favour of natives were generally granted to persons who had previously obtained the royal license*. Thus ended this long and angry controversy entirely to the advantage of the crown; for though the right of election remained to the clergy, it was merely nominal, as they dared not reject the person recommended by the king; and though the pope still pretended to confer the great dignities of the church by provision, the provisor was invariably the person who had been nominated by the crown.

If the war between England and France still continued, it was more from the difficulty of adjusting their differences than from any real enmity between the two monarchs. Of late hostilities had been suspended by a succession of negociations, which, in 1394, terminated in a truce for four years†. Soon afterwards Richard was deprived of his consort, the good queen Anne, who died at his palace of Shene, and was interred at Westminster. The king appeared inconsolable; and, to divert his melancholy, was advised to visit his Irish dominions. They had formerly produced a yearly income of thirty thousand pounds: now the receipts were not equal to the ordinary expenses of the government. To understand the cause of this defalcation we must take a

A. D. 1394. May 27. June 7. July 26.

* We have one of these temporary modifications in Wilkins, Con. iii. 237. 1°. The bishoprics were to be granted after the election, and by provision, to the person elect, if the king wrote in his favour. If he did not, to some other person acceptable to the king. 2°. In cathedral and collegiate churches, the pope and the ordinary were to present alternately, till the pope had possessed three presentations. He might grant the provisions to cardinals: otherwise he was bound to select Englishmen. 3°. In other benefices the pope and ordinary were to present alternately for fourteen months. Anno 1398.

† Rym. vii. 770.

hasty review of the past transactions in Ireland. After the fall of Bruce, the second Edward was too much occupied by his domestic enemies, the third by his wars with Scotland and France, to attend to the concerns of the sister island; and the natives by successive encroachments gradually confined the English territories within narrower limits. The greater part of Ulster was recovered by the O'Nials; the O'Connors won several districts in Connaught; and in Leinster the O'Brians maintained, with perseverance, and often with success, the cause of Irish independence. Had the natives united in one common effort, they might have driven the invaders into the ocean: but they lost the glorious opportunity by their own dissensions and folly. Their hostilities were generally the sudden result of a particular provocation, not of any plan for the liberation of the island; their arms were as often turned against their own countrymen as against their national enemies; and several septs received annual pensions from the English government as the price of their services in protecting the borders from the inroads of the more hostile Irish.

Neither did the English pale present a scene of less anarchy and disunion. The settlers were divided into two classes, the English by race and the English by birth. The former were the descendants of the first invaders, and considered themselves as the rightful heirs to the lands and emoluments which had been won by the swords of their progenitors. The further they were removed from the seat of government, the less did they respect its authority; and, as they lived in the constant violation of the English laws, naturally sought to emancipate themselves from their control. Hence many adopted the dress, the manners, the language, and the laws of the natives, and were insensibly transformed from English barons into Irish chieftains. Of these the most powerful was Thomas Fitz-Maurice, who collected without distinction of country every adventurer under his standard; expelled the English settlers who refused

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to conform to his wishes; encouraged intermarriages with the natives, and established among his dependents the customs of tanistry and gavelkind. Yet such was the weakness of the government, that, to secure his fidelity, he was created earl of Desmond, and his possessions were erected into a county palatine.

The English by birth comprised the persons born in England whom the king had invested with office in Ireland, and the crowds of adventurers whom penury or crime annually banished from their own country. To the old settlers they were objects of peculiar jealousy and hatred: by the government they were trusted and advanced, as a counterpoise to the disaffection of the others. Edward III. had gone so far as to forbid any person to hold office under the Irish government who was not an Englishman, and possessed of lands, tenements, or benefices in England; but the prohibition aroused the indignation of the English by race: in defi- A. D.
ance of his authority they assembled in convention at 1342.
Kilkenny; and so spirited were their remonstrances that he revoked the order, and confirmed to them the rights which they had inherited from their ancestors.

Edward had appointed his son Lionel duke of Clarence to the government of Ireland. The prince landed with A. D.
an army, obtained some advantages over the natives, 1361.
and left the island, having rather inflamed than appeased Mar.
the jealousy between the two parties. Some years later he returned; a parliament was held under his influence; A. D.
and the result was the celebrated statute of Kilkenny. Its 1364
provisions were directed not against the natives, but the descendants of the English settlers, who, "to the ruin of "the common weal, had rejected the laws of England "for those of Ireland." It enacted that marriage, nurture of children, and gossipred with the Irish, should for the future subject the offender to the penalties of high treason; and that the Englishman who should adopt an Irish name, or the Irish language, or the Irish dress, should be constrained by imprisonment or forfei-

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ture to give security that he would conform to the manners of his own country. It was moreover declared that the Brehon laws were a lewd custom, latterly crept in among the English, and it was made high treason for any Englishman to decline the authority of his own laws, and submit his cause to the decision of the Brehon judges *.

Still the former dissensions prevailed among the strangers; and the Irish gradually extended their conquests. To restore tranquillity, Richard, in his ninth year, created the earl of Oxford, his favourite, marquess of Dublin, and afterwards duke of Ireland; bestowed on him the government of Ireland for life; and granted to him and his heirs all the lands which he should conquer from the natives, with the exception of such as had already been annexed to the crown, or conferred on former adventurers †. Thirty thousand marks were allotted for the expedition by the parliament; and the most sanguine hopes of success were generally cherished; when the whole plan was defeated by the dissension between the king and his barons, and the subsequent exile and death of the duke. Now, however, the moment seemed to be arrived when the English ascendancy might be restored, and the natives reduced to the most complete submission. With four thousand men at arms and thirty thousand archers, Richard landed at Waterford: the duke of Gloucester, the earls of Rutland and Nottingham, aided him with their advice; and, though the state of the country, intersected with lakes, morasses, and forests, impeded his progress; though the enemy, by retiring into inaccessible fortresses, shunned his approach; yet in a short time the idea of resistance was abandoned; the northern chieftains met the king at Drogheda, the southern attended his deputy, the earl of Nottingham, at Carlow; and all, seventy-five in number, did homage, promised to keep

A. D. 1394. Oct.

* Apud Leland, i. 320. † Rot. Parl. iii. 209, 210.

the peace, and submitted to pay a yearly tribute. The four principal kings, O'Nial, O'Connor, O'Brian, and M'Murchad, followed Richard to Dublin, where they were instructed in the manners of the English by sir Henry Christal; submitted to receive, though with some reluctance, the honour of knighthood, and, arrayed in robes of state, were feasted at the king's table. But a distinction was made between the natives who had not previously sworn fealty and those who had done so and rebelled, the "Irrois savages, and Irrois rebels," as the king denominated them. Yet the latter on their submission were taken under protection, and obtained the promise of a full pardon on the payment of a proportionate fine. Richard, though he devoted much of his time to parade, did not neglect the reformation of the government. Grievances were redressed, the laws enforced, tyrannical officers removed, and the minds of the natives gradually reconciled to the superiority of the English *.

A.D. 1395. Mar. 25.

But while the king was thus establishing his power in Ireland he was suddenly recalled to his English dominions. The disciples of Wycliffe, under the denomination of Lollards, had seized the opportunity of his absence to commence a fierce attack upon the revenues and the discipline of the church. Not content with affixing libels against the clergy in the most public places in the capital, they had prepared an inflammatory petition, which was to be presented to the house of commons. This instrument is a strange compound of fanaticism and folly. It complains that, ever since the church had been endowed with worldly possessions, faith, hope, and

* Acts of Coun. i. 56. 62. Christal gave the account of this expedition to Froissart. He had formerly been made prisoner by one of the natives, a powerful man, who unexpectedly leaped up behind him, embraced him tightly, and, urging the horse forward with his heels, fairly carried him off. During his captivity he had learned the Irish language, and on that account was now charged with the care of the four kings. His great difficulty was to induce them to dine at a different table from their servants, and to wear breeches, and mantles trimmed with the fur of squirrels. Froiss. xi. 24.

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charity have been banished from England; that the English priesthood is a false priesthood, because sinners can neither impart nor receive the Holy Spirit; that the clergy profess a life of celibacy, but pamper themselves too much to observe it; that by accepting places under the government, they become hermaphrodites, obliging themselves to serve both God and mammon; that they teach transubstantiation, which leads to idolatry; enjoin confession, which makes them supercilious; authorise war and criminal executions, which are contrary to the law of Christ, a law of mercy and love; and permit men to exercise the trades of the goldsmith and sword cutler, which are unnecessary and pernicious under the dispensation of the Gospel. No one was found to present the petition; but the prelates, alarmed at the boldness of the fanatics, solicited the protection of the king, who, at his return to London, severely reprimanded the patrons of the Lollards, and ordered their teachers to be expelled from the university of Oxford *.

May.

During the quarrel between the duke of Gloucester and the king's favourites Richard had been frequently reproached with a secret leaning towards the friendship of the king of France. On the death of his queen he discovered this inclination more openly, and solicited the hand of Isabella, the daughter of Charles VI., a princess in her eighth year. The dukes of Lancaster and York approved of the match: the duke of Gloucester, who on all occasions made his court to the prejudices of the nation by opposing any alliance with France, was able to postpone it for many months. At length his acquiescence was purchased with gifts and promises; and a treaty was signed, purporting that Isabella should marry Richard; that he should receive with her 300,000 francs of gold, in ready money, and 500,000 afterwards, by annual instalments in five years †; that the issue

A.D. 1394. June 7.

A. D. 1396. Mar. 9.

* Wilk. Con. iii. 221. Wals. 351. Rym. vii. 805.
† Six French crowns of gold were equal in value to one pound sterling.

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by this marriage should derive from their mother's descent no additional right to the French crown; and that the truce already existing between the two kingdoms should be prolonged for the term of twenty-eight additional years, and should comprehend their respective allies. Richard sailed to France to receive the princess; the kings feasted each other in their pavilions between Ardres and Calais; the marriage ceremony was performed by the archbishop of Canterbury; and the young queen was afterwards crowned with the usual magnificence at Westminster *.

Sept. 27. Oct. 27. Nov. 1. A. D. 1397. Jan. 7.

This alliance with the royal family of France encouraged Richard to execute a scheme of vengeance which he had long cherished within his own breast. He had not forgotten the sufferings and murders of his favourites, nor the insults which had been offered to his own authority. Hitherto it had been prudent to dissemble; now, thinking himself secure on the throne, he resolved to wreak his vengeance on the offenders, though the principal of them was one of his nearest relatives. Of his three uncles the duke of York alone seems never to have forfeited his friendship. The easy and indolent disposition of that prince withdrew him from the rash and intemperate councils of his brother of Gloucester; and if he did not strenuously exert himself in the cause, he never gave the weight of his co-operation to the enemies of his nephew. He was now beloved and trusted by Richard. During the king's absence in Ireland he had been appointed regent of the kingdom; and his son, the earl of Rutland, was believed to hold the first place in the royal favour. With respect to the duke of Lancaster it had formerly been otherwise, when he was suspected of aspiring to the crown. But age had chilled

* Rym. vii. 802—805. 811—830. 834—837. 845—847, 848. Wals. 353. Isabella brought with her, besides jewels and plate, "robes, tapisserie, et "autres meubles, tant pour la personne, et pour la chambre, come pour la "chapelle, l'escuyerie, panneterie, eschansonnerie, fruicterie, la cuisine, "et autres offices;" for all which a receipt was given at Calais, 7 Nov. Thres. des Chart. 64.

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his ambition: every sinister impression had been effaced by more recent services; and a grant to him for life of the sovereignty of Guienne, though it was afterwards recalled at the solicitation and remonstrance of the natives, proved how ready the king was to gratify the wishes of this uncle. Constance, his second wife, did not long possess the affection of her husband, which he had transferred to Catherine Swynford, a knight's widow, and governess of his two daughters by Blanche, the first duchess. Constance died in 1394, and in 1396 the duke married Swynford after an illicit cohabitation of about twenty years, during which she had borne him three sons and one daughter of the surname of Beaufort, from Beaufort castle in France, in which they were born. This marriage was resented as a disgrace by the other princes of the blood royal: but Richard, to please his uncle, approved of it, legitimated the children, and raised the eldest son to the dignity of earl of Somerset*. But the duke of Gloucester, the third uncle, though he knew how cruelly he had wounded the feelings, disdained to cultivate the friendship of his nephew. He was still the chief mover of every intrigue, the soul of every faction that opposed the king's wishes. He never took his seat at the council board but to embarrass the proceedings; was the last to arrive, and the first to depart; treated Richard with an air of superiority; and frequently threw out sarcasms in his hearing on his supposed inactivity and degeneracy from the spirit of his fathers. At the same time it was the policy of the duke

A. D. 1396. Jan. 13

1397. Feb. 6.

Feb. 10.

* Rot. Parl. iii. 343. In the original patent of legitimation, and in the copy entered on the rolls of parliament, there was no reservation of the *royal dignity*. In the copy on the patent rolls there is such reservation, but it is interlined, and in a different ink, though the hand is nearly the same. In the exemplification by Henry IV. in 1407, the exception occurs without interlineation. See Sir Harris Nicolas in Excerpt. Hist. 153. It appears, however, to me that the original patent, though it omits, nevertheless implies the exception; for it explains the honours, dignities, preeminences, estates, degrees, and offices which it enables the Beauforts to hold, as duchies, principalities, earldoms, baronies, and other fees, whether holden mediately or immediately of the crown. Is not this equivalent to a reservation of the royal dignity?

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to ingratiate himself with the knights, who had distinguished themselves in the last reign; to inveigh against the peace with France; to lament the pusillanimity of the king; and to represent him as fit only to live in the company of ladies and bishops*. That he might at least display his own courage, he obtained permission to join the Christians, who were fighting against the infidels in Prussia: but, whether it was that the expedition was merely a pretence, or that his courage evaporated at sea, he returned in a few days, and asserted that he had been driven back by a storm. He was then appointed to the government of Ireland, but neglected to take possession, probably because Ireland was a country in which, as he said, he could reap neither wealth nor glory. Richard's mind was perpetually harassed by what he saw and heard of Gloucester's conduct; a

* On this subject a singular occurrence took place in the parliament held in 1397. On the 1st of February the commons delivered a bill to the lords for the regulation of the king's household, complaining, among other things, that so many bishops, who had lordships, and so many ladies, with their servants, were always with the king, and were supported at his expense. Richard the next day sent for the lords, asserted that the bill was an invasion of his prerogative, and ordered the duke of Lancaster to demand from the commons the name of the person who had introduced it. This was sir Thomas Haxey, a clergyman. On the third, the commons appeared before the king and the lords, professed their sorrow for the offence they had given, and declared that their only intention was to request the king to consider the subject of his household, and to make what regulations he thought proper. He professed himself satisfied; adding that, as he did not demand from them either tenths or fifteenths, they ought not to interfere with his expenses. But Haxey was singled out for punishment, as a terror to others. His bill had been expressed in these words:—May it please the commons of England to consider the expenses of the king in his household, from the multitude of bishops and ladies with their followers, and to ordain due remedy thereof. On the fifth a law was made, that whoever moved, or should move the commons of parliament, or any other person, to make remedy or reformation of anything appertaining to the king's person, rule, or royalty, should be held for a traitor; and two days after, Haxey, on his own confession, was condemned, according to this ex post facto law, to suffer the punishment of treason. But his life was immediately spared at the intercession of the prelates, and a full pardon was granted to him on the 27th of May. It is probable that no intention existed of putting Haxey to death; but that the whole of this unjustifiable proceeding had for its object to check the attempts of Gloucester's partisans to intimidate the opponents of the court. See Rot. Parl. iii. 339. 341. 407, 408.—From this instance it appears that clergymen sate at this period among the commons in parliament.

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repetition of petty injuries kept alive his resentment, and the memory of the past urged him to get rid of a prince who still continued to display the same contempt for the person, the same hostility to the favourites of his sovereign. We are even told that the duke had actually formed a plan with his former associates, the present archbishop of Canterbury *, and the earls of Arundel and Warwick, to seize and imprison the king †: but the account appears to be no more than a report invented to explain the cause of his arrest. This, at least, is certain, that no such charge was afterwards brought forward by his accusers in parliament.

July 8.

When Richard had taken his resolution, it was carried into effect with secrecy and despatch. The earl of Warwick, having dined with the king, was arrested at the house of the chancellor, near Temple Bar, hurried away to the Tower, and for greater security conveyed to the castle of Tintagel in Cornwall ‡. The primate was unsuspectingly employed to bring his brother the earl of Arundel to a private conference with Richard, who instantly apprehended and sent him to Carisbrook castle, in the isle of Wight; but with a promise, confirmed upon oath, that he should not suffer either in his person or property §. To prevent the escape or resistance of his uncle, Richard himself headed the party appointed to apprehend him, and proceeded to his castle at Plashy. The duke with his family came out to meet the king, but was immediately delivered to the custody of the earl of Nottingham, earl marshal ‖. That nobleman

July 10.

July 12.

* He was Thomas de Arundel, brother to the earl of the same name, who had been bishop of Ely and chancellor during the prosecution of Richard's favourites; and was afterwards translated to the see of York, and thence to that of Canterbury. Ang. Sac. i. 62. 122.

† Froissart, xl. 48. Account of MSS. in library of king of France, ii. p. 205.

‡ Rot. Parl. iii. 436. § Ibid. 435.

‖ There are different accounts of this arrest. The contemporary author in MS. mentioned before assures us that it took place in the morning, when the king arrived before the duke was up (p. 208): Froissart fixes it at five in the afternoon (xi. 48). Both agree that he joined Richard in the court of his palace, was asked to accompany him to London, and made

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pretended to conduct him to the Tower; but, when they had reached the Thames, he put him on board a ship, sailed down the river, and lodged his prisoner in the castle of Calais, of which he was governor. From the sudden disappearance of the duke it was generally believed that he had been murdered; and his friends, alarmed at his supposed fate, began to tremble for their own safety. Richard, to tranquillise the public mind, July 15. issued a proclamation, stating that these arrests had been made with the assent of the earls of Rutland, Kent, Huntingdon, Nottingham, and Salisbury, the lord Despenser, and sir William Scrope, and with the approbation of his uncles of Lancaster and York, and his cousin of Derby; that the offences of the prisoners were of recent date, and had no connexion with the occurrences of the tenth and eleventh years of his reign; and that none of his subjects had any reason to be alarmed on account of the part which they had taken on those occasions *.

To arrange his plans with greater secrecy, he now repaired to the castle of Nottingham, where it was determined to copy the former example of the prisoners, and to appeal them of treason, after the manner in which they had appealed the king's favourites. The noblemen who had advised the arrests were at dinner, when they were unexpectedly summoned from table to the gate of the castle, and required to put their seals to a form of appeal, which had been prepared for the occasion. On their return they found the king in the hall, seated on the throne, and wearing his crown. "We "appeal," they were made to say, "Thomas duke of "Gloucester, Richard earl of Arundel, and Thomas earl "of Warwick, and say that they have acted as traitors

prisoner on the road. But the rolls of parliament declare that he was arrested, as he came forth in procession to meet the king: domino regi cum processione solemni humiliter occurrentem. Rot. Parl. iii. 418.

* Rym. viii. 6. To the noblemen who are said to have given their assent to these arrests should have been added the young earl of Somerset. Rot. Parl. iii. 374.

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"to your majesty and your realm. Such we hold them, "and such we will prove them to be, when, where, and "in whatever court your majesty shall ordain. And we "beseech your majesty to hear us as soon as may be, "and to do full right and justice on this our appeal." Their request was granted, and the time of trial fixed for the ensuing parliament *.

On his return the king remained a few days at Woodstock, where it was resolved to take the deposition of
Aug. 15. the duke of Gloucester in prison, and a commission for that purpose was signed and addressed to sir William
Sept. 5. Rickhill, one of the justices. About three weeks later Rickhill was awakened in the middle of the night at Essingham in Kent by a royal messenger, who ordered him to repair immediately to Dover, and to follow the earl of Nottingham to Calais. If he was surprised at the mysterious nature of this message, his surprise re-
Sept. 7. doubled, when after his arrival the earl delivered to him a commission to interrogate the duke of Gloucester, whom he had for many weeks believed to be dead. In this delicate and dangerous business Rickhill proceeded with a caution which afterwards saved his life. He required that two witnesses should be appointed to see and hear all that passed between him and the prisoner;
Sept. 8. and on his introduction to Gloucester, advised him to return his answer in writing, and to keep an exact copy of it in his own possession. Some hours later the duke delivered to him what was termed his confession, with a request that he would come back the next morning, to receive any further communication that might be deemed necessary. But in the morning Rickhill was refused admission; and, after remaining two days longer
Sept. 11. at Calais, he returned to England, and gave an account of his proceedings to the king the day before the opening
Sept. 16. of the parliament †.

* Compare Rot. Parl. iii. 374, and 449—452.
† See Rickhill's deposition, Rot. Parl. iii. 431.

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To prevent any opposition to his wishes, Richard was accompanied to Westminster by a most formidable force, composed of the knights and esquires who wore his livery of the hart, and of his body-guard of archers levied in the county of Chester. The leading men in the commons had received their instructions from the court; and on the second day of the session sir John Bussy, the speaker, petitioned the king that the clergy might appoint proxies to represent them in their absence from trials of blood; that the commission of regency, and the statute confirming it, passed in the tenth year of his reign, should be repealed, as extorted from him by threats and violence; that whoever in future should procure the enactment, or act in virtue of such a commission, should suffer the penalties of treason; and that all pardons, general or private, heretofore granted to the duke of Gloucester, and the earls of Arundel and Warwick, should be revoked, as prejudicial to the king, and wrung from him by constraint. These petitions were immediately granted with the unanimous assent of parliament *.

Sept. 17.

Sept. 18.

The commons next impeached Thomas Arundel archbishop of Canterbury of high treason. He had, they maintained, aided the duke and two earls to obtain the commission of regency, and procured himself to be named one of the number; had also advised the arrest and execution of sir Simon Burley and sir James Berners, contrary to the will of the king; and had committed these crimes while he was chancellor, and bound by his oath to support the rights of the crown. He rose to defend himself, but was silenced by Richard, who, on account, as he pretended, of the archbishop's dignity, wished to have more time to consider the matter †.

Sept. 20.

The following day the lords appellants presented their charges against the three peers: 1. That the duke of

Sept. 21.

* Rot. Parl. iii. 348—351.

† Ibid. 351.

Gloucester and the earl of Arundel had compelled the king to assent to the commission of regency, by threatening his life in case of refusal; 2. That they had drawn to their party the earl of Warwick and the lord Thomas Mortimer at Hornsey park, and with force of arms constrained the king at Westminster to take them under his protection; 3. That these four, usurping the royal power, had condemned sir Simon Burley to death, against the king's will and without his assent; and, 4. That at Huntingdon they had conspired to depose the king, shown him the act of deposition of Edward II., and told him that, if he had not met with the same fate, he owed the preservation of his crown to the respect which they entertained for his deceased father. To these charges the earl of Arundel pleaded not guilty, and offered to prove his innocence by wager of battle, or by the verdict of a jury. He then pleaded a general and particular pardon. But these had been already revoked, and he was ordered to speak to the facts alleged against him. On his refusal the duke of Lancaster pronounced the usual judgment of treason: he was immediately led back to the Tower, and his head was struck off the same day under the direction of the lord Morley, the lieutenant of the earl marshal *.

That nobleman, who was still at Calais, had received an order to bring his prisoner, the duke of Gloucester, to the bar of the house, that he might reply to the lords who had appealed him of treason. Three days later an answer was returned, that the earl marshal could not produce the said duke before the king in parliament, for that he, being in custody in the king's prison at Calais, had there died. The time, the place, the suddenness of the death, will create a suspicion that this unfortunate prince had been murdered; and in the next reign it was pretended that Richard, unwilling to dis-

Sept. 24.

* Rot. Parl. iii. 374—377. 435. Hence it is evident that the earl marshal himself was not present; and that the story of his insulting the prisoner at his execution cannot be true. Wals. 355.

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grace the royal family by bringing his uncle to a public trial, and equally unwilling to grant life to one who had so unfeelingly refused mercy to others, had sent assassins to Calais, by whom the duke was smothered between two beds *. However that may be, the lords appellants demanded judgment; the commons seconded their demand by a petition; and the duke was declared a traitor, and all his property confiscated to the crown †.

The next day was read in parliament Gloucester's confession taken by sir William Rickhill. He acknowledged that he had been guilty of procuring the commission of regency; of presenting himself with an armed force before the king in Westminster-hall; of opening the king's letters without permission; of speaking slanderously of him in the hearing of others; of employing threats to induce him to condemn sir Simon Burley; of asking the advice of others, whether he might not give up his homage; and of having conspired with others to depose the king, but only for a few days, after which he meant to replace him on the throne. He protested, however, that, since the day on which he swore to his nephew on God's body at Langley ‡, he had always been faithful to him; and concluded in these Sept. 25.

* In the first year of the next reign a paper was read in parliament, purporting to be a confession upon oath of John Hall, a servant to the earl of Nottingham. He said, or was made to say, that some day in September the duke was brought from the castle of Calais to a hotel called the prince's inn, and delivered to two persons, servants of the king and the earl of Rutland. That they took him up stairs, advised him to send for a confessor, as he must die, and, after the departure of the priest, smothered him between two beds in presence of himself and three others. As soon as this paper had been read, Hall was condemned, and immediately executed without having been heard, or even presented before his judges. Though eight were named in the deposition, as being concerned in the transaction, not one of them was examined or molested. If we reflect how much it was for the interest of Henry IV. to have Richard believed the author of Gloucester's death, all these circumstances tend to excite a suspicion that he could not prove it. See Rot. Parl. iii. 453.

† Ibid. 378.

‡ That oath was taken ten years before (Rot Parl. 421). I notice this, because some writers suppose the duke's confession to regard recent occurrences, whereas it refers entirely to his conduct in the years 1386 and 1387. Richard ordered prayers for his soul in all parish churches, because he confessed and repented of his treasons before his death. Acts of Coun. i. 76.

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words: "Therefore I beseech my liege and sovereign "lord the king, that he will of his high grace and be-"nignity accept me to his mercy and his grace, as I "that put my life, my body, and my goods wholly at his "will, as lowly and as meekly as any creature can do, "or may do, to his liege lord. Beseeching to his high "lordship that he will, for the passion that God suffered "for all mankind, and the compassion that he had of "his mother on the cross, and the pity that he had of "Mary Magdalene, that he will vouchsafe for to have "compassion and pity, and to accept me unto his mercy "and his grace, as he that hath ever been full of mercy "and of grace to all his lieges, and to all other that "have not been so nigh to him as I have been, though "I be unworthy*." How eloquently he could plead for mercy in his own favour, though he had never shown mercy to others!

The archbishop of Canterbury had not appeared in his place in parliament since his impeachment. His absence was attributed to the perfidious counsel of the king, who, fearing the impression which might be made by his eloquence, affected to be his friend, advised him not to irritate his enemies by his presence, and promised to shield him from their resentment†. However that may be, as soon as the confession of the duke of Gloucester had been read, the commons prayed judgment against the primate. Richard immediately declared that he had acknowledged himself guilty, and thrown himself on the royal mercy; and sentence was pronounced that he should be banished for life, and that his temporalties should be forfeited to the crown. Arundel repaired to France: the pope, after some negociation with Richard, translated him, probably without his knowledge, to the see of St. Andrews; and Roger Walden,

* Rot. Parl. 379. His acknowledgment of having employed threats to procure the condemnation of Burley is not in the confession; but was added afterwards by word of mouth to Rickhill. Ibid. and 431. I have preserved the very words, and altered nothing but the spelling.

† Ibid. 421.

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dean of York, and treasurer of the household, succeeded him in the archbishopric of Canterbury *.

The earl of Warwick was then brought to the bar of the house. He pleaded guilty: but the sentence of death was commuted into exile, and the Isle of Man was assigned for his residence. The lord Cobham was also convicted on the impeachment of the commons, and condemned to pass the rest of his life in the Isle of Jersey. The lord Mortimer, who had fled for protection to one of the Irish septs, was outlawed †. Sept. 28.

Whatever may have been Richard's object, whether it were security or revenge, it must be confessed that the manner in which these prosecutions were conducted was illegal and unjustifiable. Not only did the king violate the pardons which he had formerly granted, but the terms of the proclamation which he had recently issued. At the same time the concurrence of the princes of the blood furnishes a strong presumption that there had been something highly criminal or dangerous in the conduct of Gloucester. His nephews, the earls of Somerset and Rutland, were two of his accusers; his brothers, the dukes of Lancaster and York, joined in his condemnation; and the former even pronounced against him the judgment of treason. Can we suppose that they would have thus united to disgrace and punish their own blood, had they been influenced by no other motive than the king's resentment for an offence committed and pardoned ten years before ‡?

* Rot. Parl. 351. From a documemt in Wilkins (Con. iii. 232) which, if genuine, must have contained the instructions from the king to his envoys, it would appear that Richard thought St. Andrews too near to England. That, however, he acquiesced in the translation, appears from Rym. viii. 31.

† Rot. Parl. 379—382. Cobham was convicted in January. But I mention him now, that all the convictions may come before the reader at once.

‡ I think I can discover some traces of enmity between the duke of Lancaster and the party of the duke of Gloucester before this period. In the parliament of 1394 the earl of Arundel, Gloucester's intimate friend, told the king that certain matters lay so near his heart, that he could not in conscience conceal them: 1°. That the duke of Lancaster walked often arm-in arm with the king, who even wore his livery; 2°. That in council the

It is remarkable that several peers who sate and voted in this parliament had been engaged in the very transactions which were now declared treasonable. The duke of York, the bishop of Winchester, and Richard Scrope, had been members of Gloucester's commission; the earls of Derby and Nottingham had been two out of the five who appealed the king's favourites of treason. In these the doom of their former associates could not fail of awakening the most gloomy apprehensions; nor, after what had passed, was the expedient to which they had recourse calculated to satisfy them of their security. Richard declared in full parliament that, though the three former had been named in the commission, they had always behaved as true and loyal subjects; and that the two latter, though they had at first allowed themselves to be deceived by the pretences of Gloucester, had given a convincing proof of their loyalty, by abandoning him and returning to their duty the very moment in which they discovered his treason. He then created his two cousins of Derby and Rutland dukes of Hereford and Albemarle; his two uterine brothers, the earls of Kent and Huntingdon, dukes of Surrey and Exeter; the earl of Nottingham duke of Norfolk; the earl of Somerset marquess of Dorset; the lords Despenser, Nevil, Percy, and William Scrope, earls of Gloucester, Westmoreland, Worcester, and Wiltshire. A general pardon followed, from which were excepted those who took up arms against the king in his eleventh year, not, however, without the hope of favour, provided they sued for it within eight months. To give the greater stability to these proceedings, it was enacted,

Sept. 29.

duke by his haughtiness prevented others from giving their opinions; 3°. That he had obtained the grant of Guienne to the king's prejudice; 4°. That he had received too much money for his journey to Spain; 5°. That his conduct was blamable in the negociations for peace. Richard vindicated his uncle; and by award of parliament Arundel was obliged to make the following apology to the duke: "Sir, since it seemeth to the king "and other lords, and eke since ye be so mickle grieved and displeased by "my words, it forthinketh me, and I beseech you of your good lordship "to remit me your mawtalent (resentment)." Rot. Parl. iii. 313, 314.

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that to compass the death or deposition of the king, or to give him back the homage which had been done to him, or to raise forces and march against him for the purpose of making war within the realm, were and should be accounted acts of treason; that every judgment, ordinance, and declaration made in the present parliament, should in all time to come have the full force of statutes; that if any man should attempt to repeal or overturn them, he should suffer the penalties of treason; and that the lords spiritual and temporal should swear to observe them; that their oaths should be enrolled in the chancery; and that the prelates should excommunicate all who publicly or privately should act contrary to them. On the last day of the session the peers took the oath: at the request of the king the commons stretched out their right hands to show that they joined in it; and then the lord Thomas Percy, who had been appointed by the clergy to assist as their proxy at the late trials, swore in the name of his constituents *. What reliance could be placed on such oaths, it is difficult to conceive. Of the very men who now swore, the greater part had sworn the contrary ten years before; and, as they violated that oath now, so did they violate the present before two more years had elapsed. The parliament was prorogued to meet again at Shrewsbury after the Christmas holidays †.

These transactions unfolded to view the real character of the king. The secrecy with which for so long a

* Rot. Parl, iii. 353—356. Stat. of Realm, ii. 95—107. I conceive that the persones exemptz called before the council to make fine, (Acts of Coun. i. 75, 76) were the persons mentioned above as excepted from pardon. See Rym. viii. 26.

† Ibid. 356—369. I suspect the parliament had been prorogued on account of the absence of the earl of March, the presumptive heir to the crown, who was the king's lieutenant in Ireland. All were anxious that he should give his consent to the late transactions, and Richard despatched a peremptory order for him to attend at Shrewsbury. No excuse would be admitted (Rym. viii. 21. Oct. 15). He obeyed; and as soon as the session was opened, took the oath, which had been taken already by the other peers (Rot. Parl. iii. 357), and concurred in the different ratifications of all that had passed in his absence.

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period he had concealed his purposes of revenge, the dissimulation with which he had heaped favours on his destined victims, and that contempt for the forms of law and principles of justice which he had displayed in the course of the proceedings, astonished and appalled not only the former adherents of Gloucester, but every man who on any occasion had incurred the royal displeasure. The duke of Norfolk possessed, apparently at least, a high place in the king's favour: but he was conscious how deeply he had engaged in the political transactions of the eleventh year; he knew that by his reluctance to join in the late prosecutions he had given cause of offence *; and he entertained a suspicion, that the honours to which he had been raised were meant only to blind and ensnare him. Of the original lords appellants, he and the duke of Hereford alone remained. Chancing to overtake the latter on the road between Brentford and London, he unbosomed himself to his friend, detailed his apprehensions, and pointed out the most suspicious characters in the king's council †. Whe-

* Rot. Parl. iii. 383.

† The following was the conversation, according to Hereford's account of it:—*Norf.* We are on the point of being undone.—*Heref.* Why so?—*Norf.* On account of the affair of Radcotbridge.—*Heref.* How can that be, since he has granted us pardon, and has declared in parliament that we behaved as good and loyal subjects?—*Norf.* Nevertheless our fate will be like that of others before us. He will annul that record.—*Heref.* It will be marvellous indeed, if the king, after having said so before the people, should cause it to be annulled.—*Norf.* It is a marvellous and false world that we live in; for I know well that, had it not been for some persons, my lord your father of Lancaster and yourself would have been taken or killed, when you went to Windsor, after the parliament. The dukes of Albemarle and Exeter, and the earl of Worcester and I, have pledged ourselves never to assent to the undoing of any lord without just and reasonable cause. But this malicious project belongs to the duke of Surrey, the earls of Wiltshire and Salisbury, drawing to themselves the earl of Gloucester. They have sworn to undo six lords, the dukes of Lancaster, Hereford, Albemarle, and Exeter, the marquess of Dorset and myself; and have sworn to reverse the attainder of Thomas earl of Lancaster, which would turn to the disherison of us and of many others.—*Heref.* God forbid! It will be a wonder, if the king should assent to such designs. He appears to make me good cheer, and has promised to be my good lord. Indeed he has sworn by St. Edward to be a good lord to me and the others.—*Norf.* So has he often sworn to me by God's body: but I do not trust him the more for that. He is attempting to draw the earl of March into the scheme of the four lords to destroy the others.—*Heref.* If that be the case,

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ther it were that Hereford incautiously divulged the secret, or that he betrayed it clandestinely to Richard, is uncertain. But he received an order to attend the monarch at Haywood; was charged on his allegiance to communicate to the council the whole conversation; and was remanded with an injunction to appear before the parliament, and to submit every particular to the cognizance of that tribunal.

At the appointed day the three estates (for the proctors of the clergy were present) assembled at Shrewsbury; and their proceedings were marked with the same obsequiousness to the will of the monarch, the same disregard of the liberties of the people, which they had evinced before the prorogation. 1°. Sir John Bussy, the speaker, demanded that the acts of Gloucester's parliament, in the eleventh year of the king, should be repealed. As a preliminary, the judges and serjeants at law were introduced, and commanded to give their opinion of the answers which had been returned by the former judges to the questions submitted to them at Nottingham. They unanimously replied, that to the same questions they should have given the same answers*. Immediately the lords, the clergy, and the commons separately declared their assent; and all the judgments, ordinances, and statutes of Gloucester's parliament were repealed. 2°. It was evident that this act of theirs might be reversed by their successors, with as much ease as they had reversed the acts of the eleventh year; and the speaker the next day petitioned that the very attempt to invalidate any of the proceedings of the present session should be declared treason. The king consulted the judges †, who replied that no greater se-

A. D. 1398. Jan. 27.

Jan. 29.

we can never trust them.—*Norf.* Certainly not. Though they may not accomplish their purpose now, they will contrive to destroy us in our houses ten years hence. Rot. Parl. iii. 360. 382.

* Ibid. 32.

† From these proceedings it is plain that the judges no longer sate in parliament with the lords in the same manner as formerly. Sir William Thirnyng, chief justice of the king's bench, said that parliament alone

curity could be devised than the authority of parliament. At his request, however, the lords repeated their former oath on the cross of Canterbury; the proctors of the clergy followed them; and the knights of the shire standing round the king, with most of the citizens and burgesses, imitated their example. Richard then inquired if it were possible to bind his successors; and, when he was informed that he could not, declared that he would at least solicit the pope to excommunicate the prince who should hereafter annul any act of the present parliament. A herald by proclamation asked the people if they would assent to this kind of security; and they, raising their hands, proclaimed with loud shouts their assent *. 3°. Two days before the opening of the session the duke of Hereford had obtained a general pardon under the great seal for the treasons, misprisions, and offences, that he had ever committed †. He now
Jan. 30. appeared in parliament to prosecute the duke of Norfolk, and exhibited in writing the whole of the conversation between them. As if, however, he were conscious of guilt, and apprehensive of the royal sincerity, he returned the next morning, threw himself on his knees before Richard, and addressed him in the following terms: "My liege lord, there have been riots, troubles, "and evil deeds in your realm to the offence of you and "your royal estate; and in them I know that I have "taken a part; not, however, for an evil end, or to dis-

could declare that to be treason which had not been so declared before, but that, were he a lord and peer of parliament, he would have answered as the others had done. The act of repeal is made "by the king, with "the assent of the lords spiritual and temporal, of the proctors of the "clergy, and of the commons, and by the advice of the judges, and serjeants." Ibid. 358.

* Proclamation feust fait en audience de tout le peuple . . . . . criantz ove hautes voices, q'il lour plest bn, et q'ils sont a ceo pleinement assentuz. Ibid. 360. I notice this circumstance, because it serves to explain those passages in more ancient writers which describe the people as assisting at the great councils, and testifying their approval by acclamation. The custom seems still to have prevailed. We find the people mentioned also in the first parliament of the next reign . . . . populoque dicti regni tunc ibidem propter factum parliamenti in maxima multitudine congregato. Ibid. 417.

† Rym. viii. 32.

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"please you, as I did not then know that I was doing "wrong. But now, sir, I know it, and confess my fault. "Wherefore, sir, I cry you mercy, and beg your pardon." The king immediately assented to his petition, promised to be his good lord, and in a set speech announced to the several estates that he had granted him a full pardon *. 4°. Richard had previously demanded an aid of the commons; and on the fourth day they voted him, with the assent of the lords, a tenth and a half, and a fifteenth and a half; and in addition, as if they sought to render him independent of parliament, granted him the tax on wool, wool-fells, and hides, not for a short and determinate period as usual, but for the whole term of his natural life. Such liberality required a return on his part; and he published a general charter of pardon for all offences against the crown; but with this most curious exception, that no benefit should be derived from it, if either lords or commons in future parliaments should impeach the grant, which had been now made to him of a revenue for life †. 5°. But the most unconstitutional act of the session still remains. It had been usual in former times to dismiss the members as soon as the public business was terminated, and to detain a committee of lords and justices to hear and determine such petitions as had been presented and not answered. A similar committee was now appointed of twelve peers and six commoners, of whom one half was required to be present at the deliberations; but they were not only invested with the powers of the ancient committees, but also authorised to "hear, examine, and determine all "matters and subjects which had been moved in pre-"sence of the king, with all the dependencies thereof:" words of indefinite and therefore of the more dangerous

Jan. 31.

* Rot. Parl. iii. 367. From this anxiety of Henry to obtain his pardon, which he had now solicited and received twice since the declaration made in his favour by Richard a few months before, I am inclined to suspect that he had engaged in the designs of Norfolk, whatever they were, and had been admitted to favour on the condition that he should accuse his associate.

† Ibid. 368, 369.

tendency, under the colour of which the committee arrogated to itself all the powers and functions of a full parliament. To it was referred the charge which had been brought against the duke of Norfolk *.

That nobleman had not thought proper to attend his duty in parliament: but he surrendered on proclamation; and was introduced to Richard at Oswaldstre.
Feb. 23. He loudly maintained his innocence against his accuser; and, bending his knee, said to the king: "My dear lord, "with your leave, if I may answer your cousin, I say "that Henry of Lancaster is a liar; and in what he has "said, and would say, of me, lies like a false traitor as "he is." Richard ordered both parties into custody;
Mar. 19. and, proceeding to Bristol, with the assent of his committee of parliament, determined causes and published laws in the same form as if the two houses were sitting. He even enacted that these new statutes should possess equal authority with those which had been passed in the last parliament; that any man who should seek to annul or repeal them should suffer the penalties of treason; and that every prelate before he received his temporalties, every tenant of the crown before he obtained livery of his lands, should take an oath to observe all laws, ordinances, and judgments, as well those made by the king in the late parliament, as those made by him since its dissolution, with the assent of the committee, to oppose every endeavour to alter or revoke them, and to pursue with all his might every man who should infringe them, till the offender had suffered the punishment of his treason. At the same time it was deter-

* Ibid. 368. When Richard was deposed, his enemies alleged that this committee had no other powers than former committees; and that the additional authority was given to them by the king, who had for that purpose falsified the rolls. Of the truth of the charge we have no evidence. —I should observe that, though the same committee was appointed to examine the accusation against the duke of Norfolk, two of the members attended, not as peers, but as proctors for the clergy. Ibid. 360. This was in consequence of a petition from the commons, lest it might afterwards be alleged that the clergy were not represented in the committee.

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mined that the controversy between the two dukes should be referred to a high court of chivalry *.

For this purpose, the barons, bannerets, and knights of England, were summoned to assemble at Windsor. The appellant and appellee were produced before them: Hereford persisted in the charge; and Norfolk, though he acknowledged that he had spoken disrespectfully of certain lords, denied every expression which seemed to reflect on the king's character.† As no witnesses could be called, and the truth could not be elicited by confronting the parties, it was determined to refer the decision to the judgment of God; and, by award of the court, wager of battle was joined, to be fought at Coventry on the 16th of September. On the appointed day the combatants entered the lists, in presence of the king, the committee of parliament, and an immense assemblage of people. Hereford made with solemnity the sign of the cross: Norfolk exclaimed, "God speed the right." The former, pushing forward his shield, and fixing his lance in its rest with the point towards his adversary, advanced a few paces: the latter remained motionless at his station; and the king, throwing down his warder, took, in the language of the age, the battle into his own hands. He could not, he said, suffer a combat, which, whatever might be the event, would involve in indelible disgrace one of two persons, who were both allied to him in blood, and both bore his arms‡. The combatants

April 29.

Sept. 16.

* Ibid. 372. Nothing could exceed the solicitude of the king to give stability to all these proceedings. He had been told by the judges that he could not bind his successor. He made, however, the attempt. By his will, signed a few days before his departure for Ireland, he bequeathed the greater part of his personal property to his successor, but on the express condition that he should ratify and observe all the acts of the 21st and 22d years of his reign; otherwise it was to be retained by his executors, and to be employed by them in defence of the same proceedings, "even, if it were necessary, unto death." Rot. Parl. iii. 421.

† It is at this point that Shakspere's play of Richard II., the first of the Historical Series, begins. AMER. EDIT.

‡ This had been requested, and for the reasons given by Richard, by Paynel, envoy from the king of France. He was instructed to represent, that le dict duc de Herford est fort proche de la couronne d'Angleterre, comme fils de fils de Roy, et est aussi desendu de la maison de France, et le dict duc de Nortfolc de la maison d'Angleterre. Thres. des Chart. 66.

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were then conducted back to their seats, and awaited in anxious suspense the determination of the king, who was employed in consultation with the committee of parliament. At length the royal pleasure was announced, first to the appellant, and then to the appellee. To preserve the public tranquillity, and prevent quarrels between the two parties and their adherents, the duke of Hereford was ordered to quit the kingdom within the space of four months, and to remain in exile for the term of ten years: but at the same time it was declared that he had honourably performed his duty in prosecuting the appeal, till the king had taken the battle into his own hands. The judgment of the duke of Norfolk was more severe. He was ordered to quit the realm at the same time, to go a pilgrim to the Holy Land, and to remain in banishment for the rest of his life, in Germany, Hungary, or Bohemia: not that he had not honourably performed his duty against his adversary, but because he had, according to his own confession, endeavoured to excite dissension among the great lords, and had both publicly and privately opposed the repeal of the acts of Gloucester's parliament. Moreover, as he had been guilty of neglect in his government of Calais, and was in considerable arrears to the king, it was awarded that all his lands should be taken into the king's hand, to be applied to the payment of his debts, reserving the sum of one thousand pounds a-year for his own use. Finally, both were forbidden, under the penalty of treason, to have any communication with Thomas, late archbishop of Canterbury, or with each other, during the time of their exile*. Before their departure they respectively obtained a few favours of the king, and in particular a permission by patent to appoint attorneys to

* Ibid. 383, 384. I have given the sentences at greater length, because they fully explain the causes of that disparity which some modern writers have been at a loss to understand. The reasons for Norfolk's banishment are probably the real ones; those for that of Hereford do not appear so. The king sent to him at Calais a present of 1000 marks. Pell Records, 268.

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take possession of such inheritances as might fall to them in their absence, though they could not actually perform homage or swear fealty. Hereford repaired to Paris: Norfolk, after a short residence in Germany, visited Jerusalem, and in his return died of a broken heart at Venice*. A.D. 1399. Sept. 29.

Richard now saw himself triumphant over all his opponents. The last of the lords appellants had been banished; and even his uncles, through affection or fear, seconded all his measures. He had attained what seems for some time to have been the great object of his policy. He had placed himself above the control of the law. By the grant of a subsidy for life he was relieved from the necessity of meeting his parliament; with the aid of his committee, the members of which proved the obsequious ministers of his will, he could issue what new ordinances he pleased; and a former declaration by the two houses, that he was as free as any of his predecessors, was conveniently interpreted to release him from the obligations of those statutes which he deemed hostile to the royal prerogative. But he had forfeited all that popularity which he had earned during the last ten years; and the security in which he indulged hurried him on to other acts of despotism, which inevitably led to his ruin. He raised money by forced loans; he compelled the judges to expound the law according to his own prejudices or caprice; he required the former adherents of Gloucester to purchase and repurchase charters of pardon; and, that he might obtain a more plentiful harvest of fines and amercements, put at once seventeen counties out of the protection of the law, under the pretence that they had favoured his enemies in the rencontre at Radcot bridge. The duke of Lancaster did not survive the banishment of his son more three months; and the exile expected to succeed by his attorneys to the ample estates of his father. But Richard now dis- Feb. 3.

* Ibid. 372. 385. Rym. viii. 47—52.

covered that his banishment, like an outlawry, had rendered him incapable of inheriting property. At a great council, including the committee of parliament, it was held, that the patents granted, both to him and his antagonist, were illegal, and therefore void; and all the members present were sworn to support that determination *. Henry Bowet, who had procured the patent for the duke of Hereford, was even condemned, for that imaginary offence, to suffer the punishment of treason; though, on account of his character, his life was spared on condition that he should abjure the kingdom for ever †. This iniquitous proceeding seems to have exhausted the patience of the nation. Henry (on the death of his father he had assumed the title of duke of Lancaster) had long been the idol of the people; and the voluntary assemblage of thousands to attend him on his last departure from London might have warned Richard of the approaching danger. The feeling of their own wrongs had awakened among them a spirit of resistance; the new injury offered to their favourite pointed him out to them as their leader. Consultations were held; plans were formed; the dispositions of the great lords were sounded; and the whole nation appeared in a ferment. Yet it was in this moment, so pregnant with danger, that the infatuated monarch determined to leave his kingdom. His cousin and heir, the earl of March, had been surprised and slain by a party of Irish; and, in his eagerness to revenge the loss of a relation, he despised the advice of his friends, and wilfully shut his eyes to the designs of his enemies.

Mar. 18.

April 23.

A. D. 1398.

Having appointed his uncle, the duke of York, regent, during his absence, the king assisted at a solemn mass at Windsor, chanted a collect himself, and made his offering. At the door of the church he took wine and

* Ibid. 372, 373. Here again the king appealed to the people, who signified their assent by raising up their hands. Quelle chose feust faite et assentuz par tout le peeple esteantz en presence du roy. Ibid.

† Ibid. 385.

spices with his young queen; and lifting her up in his arms, repeatedly kissed her, saying, "Adieu, madam, "adieu, till we meet again." From Windsor, accompanied by several noblemen, he proceeded to Bristol, where the report of plots and conspiracies reached him, and was received with contempt. At Milford Haven he joined his army, and embarking in a fleet of two hundred sail, arrived in a few days in the port of Waterford. His cousin the duke of Albemarle had been ordered to follow with a hundred more; and three weeks were consumed in waiting for that nobleman, whose delay was afterwards attributed to a secret understanding with the king's enemies. At length Richard led his forces from Kilkenny against the Irish: several of the inferior chiefs hastened barefoot, and with halters round their necks, to implore his mercy; but M'Murchad spurned the idea of submission, and boasted that he would extirpate the invaders. He dared not indeed meet them in open combat: but it was his policy to flee before them, and draw them into woods and morasses, where they could neither fight with advantage, nor procure subsistence *. The want of provisions and the clamour of the soldiers compelled the king to give up the pursuit, and to direct his march towards Dublin; and M'Murchad, when he could no longer impede their progress, solicited and obtained a parley with the earl of Gloucester, the commander of the rear guard. The chieftain was an athletic man: he came to the conference mounted on a grey charger, which had cost him four hundred head of cattle; and brandished with ease and dexterity a heavy spear in his hand. He seemed willing to become the nominal vassal of the king of England, but refused to submit to any conditions. Richard set a price on his head, proceeded to Dublin, and at the expiration of a fortnight,

May 29.
May 31.
June 23.

* Three ships from Dublin arrived with wine and provisions. An eye-witness tells us that more than a thousand men were drunk that day.
"D'ivres y ot, je croy, plus d'un millier cette journée."
Archæol. xx. 304.

was joined by the duke of Albemarle with men and provisions. This seasonable supply enabled him to recommence the pursuit of M'Murchad; but while he was thus occupied with objects of inferior interest in Ireland, a revolution had occurred in England, which eventually deprived him both of his crown and his life *.

When the king sailed to Ireland, Henry of Bolingbroke, the new duke of Lancaster, resided in Paris, where he was hospitably entertained, but at the same time narrowly watched by the French monarch. About Christmas he had offered his hand to Marie, one of the daughters of the duke of Berry. The jealousy of Richard was alarmed: the earl of Salisbury hastened to Paris to remonstrate against the marriage of a daughter of France with an English 'traitor,' and, suiting his conduct to his words, the envoy, having accomplished his object, returned without deigning to speak to the exile. Whilst Henry was brooding over these injuries, the late primate, or nominal bishop of St. Andrews, secretly left his house at Cologne, and in the disguise of a friar procured an interview with the duke at the hotel de Vinchester †. The result of their meeting was a determination to return to England during the king's absence. To elude the suspicions of the French ministers, Henry procured permission to visit the duke of Bretagne; and, on his arrival at Nantes, hired three small vessels, with which he sailed from Vannes to seek his fortune in England. His whole retinue consisted only of the archbishop, the son of the late earl of Arundel, fifteen lances, and a few servants. After hovering for some days on the eastern coast, he landed at Ravenspurn in Yorkshire, and was immediately joined by the two powerful earls of Northumberland and Westmoreland; before whom, in the white friars at Doncaster, he declared upon oath, that his only object was to recover the honours

July 4.

* MS. Harl. No. 1319. c. 4. † Since called the Bicetre.

and estates which had belonged to his father, and bound himself not to advance any claim to the crown *.

The duke of York, to whom the king had intrusted the government during his absence, was accurately informed of his motions, and had summoned the retainers of the crown to join the royal standard at St. Albans. There is, however, reason to believe that he was not hearty in the cause which it was his duty to support. He must have viewed with pity the unmerited misfortunes of one nephew, and have condemned the violent and thoughtless career of the other; and from the fate of his brother Gloucester, and the cruel and unjust treatment of the only son of his brother, John of Ghent, he could not draw any very flattering conclusion with respect to the stability of his own family. Whether it was from suspicion of his fidelity, or from the disinclination of the chief barons to draw the sword against one who demanded nothing more than his right, the favourites of Richard became alarmed for their own safety. The earl of Wiltshire, with Bussy and Greene, members of the committee of parliament, had been appointed to wait on the young queen at Wallingford: but they suddenly abandoned their charge, and fled with precipitation to Bristol. York himself followed with the army in the same direction. It might be that, to relieve himself from responsibility, he wished to be in readiness to deliver up the command on the expected arrival of Richard from Ireland; but at the same time he left open the road from Yorkshire to the metropolis, and allowed the adventurer to pursue his object without impediment. Henry was already on his march. The snowball increased as it rolled along, and the small number of forty followers, with whom he had landed, swelled by the time that he had reached St. Albans to sixty thousand men. He was preceded by his messengers and letters, stating not only his own wrongs, but also the grievances of the

July 12.

* Hardyng, 350. 2.

people, and affirming that the revenue of the kingdom had been let out to farm to the rapacity of Scrope, Bussy, and Greene. In all those lordships which had been the inheritance of his family he was received with enthusiasm; in London by a procession of the clergy and people, with addresses of congratulation, and presents, and offers of service. His stay in the capital was short. Having flattered the citizens, and confirmed them in their attachment to his person, he turned to the west, and entered Evesham, on the same day on which York reached Berkeley. After an interchange of messages
July 27. they met in the church of the castle; and, before they separated, the doom of Richard was sealed. That the regent consented to the actual deposition of his nephew, does not necessarily follow; he might only have sought his reformation by putting it out of his power to govern amiss: but he betrayed the trust which had been reposed in him, united his force with that of Henry, and commanded Sir Peter Courtenay, who held the castle of Bristol for the king, to open its gates. That officer, protesting that he acknowledged no authority in the duke of Lancaster, obeyed the mandate of the regent. The next morning the three fugitives, the earl of Wiltshire, Bussy and Greene, were executed by order of the constable and marshal of the host. The duke of York remained at Bristol: Henry with his own forces proceeded
Aug. 8. to Chester to secure that city, and awe the men of Cheshire, the most devoted adherents of the king.

We may now return to Richard in Ireland. It must appear strange, but Henry had been in England a fortnight, before the king, in consequence, it was said, of the tempestuous weather, had heard of his landing.
July. 18. The intelligence appears to have provoked indignation as much as alarm. "Ha!" he exclaimed, "fair uncle "of Lancaster, God reward your soul! Had I believed "you, this man would not have injured me. Thrice "have I pardoned him; this is his fourth offence." But he referred the matter to his council, and was advised

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to cross over to England immediately with the ships which had brought the reinforcement under the duke of Albemarle. That nobleman, however, insidiously, as it was afterwards pretended, diverted him from this intention. The earl of Salisbury received orders to sail immediately with his own retainers, a body of one hundred men, and to summon to the royal standard the natives of Wales: Richard promised to follow in the fleet from Waterford in the course of six days. The earl obeyed: the men of Wales and Cheshire answered the call; and a gallant host collected at Conway. But Richard appeared not according to his promise: distressing reports were circulated among the troops; and the royalists, having waited for him almost a fortnight, disbanded in spite of the tears and entreaties of their commander. At last, on the eighteenth day, the king arrived in Milford Haven with the dukes of Albemarle, Exeter, and Surrey, the earl of Worcester, the bishops of London, Lincoln, and Carlisle, and several thousands of the troops, who had accompanied him to Ireland. With such a force, had it been faithful, he might have made a stand against his antagonist: but on the second morning when he arose, he observed from his window that the greater part had disappeared. A council was immediately summoned, and a proposal made that the king should flee by sea to Bordeaux: but the duke of Exeter objected that to quit the kingdom in such circumstances was to abdicate the throne. Let them proceed to the army at Conway. There they might bid defiance to the enemy; or at all events, as the sea would still be open, might thence set sail to Guienne. His opinion prevailed; and at nightfall the king, in the disguise of a Franciscan friar, his two brothers of Exeter and Surrey, the earl of Gloucester, the bishop of Carlisle, sir Stephen Scrope, and sir William Feriby, with eight others, stole away from the army, and directed their route towards Conway. Their flight was soon known. The royal treasure, which Richard left behind him, was plundered;

Aug. 5.

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Albemarle, Worcester, and most of the leaders, hastened to pay their court to Henry; the rest attempted in small bodies to make their way to their own counties, but were in most instances plundered and ill treated by the Welsh *.

The royal party with some difficulty but without any accident reached Conway, where, to their utter disappointment, instead of a numerous force, they found only the earl of Salisbury with a hundred men. In this emergency the king's brothers undertook to visit Henry at Chester, and to sound his intentions; and during their absence Richard, with the earl of Salisbury, examined the castles of Beaumaris and Carnarvon; but finding them without garrisons or provisions, the disconsolate wanderers returned to their former quarters.

Aug. 9.

When the two dukes were admitted into the presence of Henry, they bent the knee, and acquainted him with their message from the king. He took little notice of Surrey, whom he afterwards confined in the castle; but leading Exeter aside, spoke with him in private, and gave him, instead of the hart, the king's livery, his own badge of the rose. But no entreaties could induce him to allow them to return. Exeter was observed to drop a tear; when the duke of Albemarle said to him tauntingly, "Fair cousin, be not angry. If it please God, "things shall go well."

The immediate object of Henry was to secure the royal person. He was gratified to learn from the envoys the place of Richard's retreat, and detained them at Chester, that the king, instead of making his escape, might await their return. His first care was to take

* We have two relations of the capture of Richard, both written by persons in his suite. The one belongs to the library of the king of France, No. 8448; and an abridgment of it has been published by Gaillard, Accounts and Extracts of MSS. ii. p. 189. The other is in the British Museum, Harleian MSS. No. 1319. It has been frequently consulted by Stow, 319—322, and Mr. Turner, ii. 241; and has lately been published with a translation, and copious and interesting notes by the Rev. J. Webb, in the twentieth vol. of the Archæologia. To this publication I am greatly indebted.

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possession of the treasure which the king had deposited in the strong castle of Holt: his next to despatch the earl of Northumberland at the head of four hundred men at arms and a thousand archers to Conway, with instructions not to display his force, lest the king should put to sea, but by artful speeches and promises to draw him out of the fortress, and then make him prisoner. The earl took possession in his journey of the castles of Flint and Rhuddlan; and a few miles beyond the latter, placing his men in concealment under a rock, rode forward with only five attendants to Conway. He was readily admitted; and to the king's anxious inquiries about his brothers, replied, that he had left them well at Chester, and had brought a letter from the duke of Exeter. In it that nobleman said, or rather was made to say, that full credit might be given to the offers of the bearer. These offers were, that Richard should promise to govern and judge his people by law; that the dukes of Exeter and Surrey, the earl of Salisbury, the bishop of Carlisle, and Maudelin, the king's chaplain, should submit to a trial in parliament, on the charge of having advised the assassination of Gloucester; that Henry should be made grand justiciary of the kingdom, as his ancestors had been for one hundred years; and that, on the concession of these terms, the duke should come to Flint, ask the king's pardon on his knees, and accompany or follow him to London. Richard consulted his friends apart. He expressed his approbation of the articles; but bade them secretly be assured that no consideration should induce him to abandon them on their trial, and that he would grasp the first opportunity of being revenged on his and their enemies: "for there "were some among them whom he would flay alive; "whom he would never spare for all the gold in the "land." Northumberland was then sworn to the observance of the conditions. He took his oath on the host; and, "like Judas," says the writer, "perjured him-"self on the body of our Lord."

Aug. 18.

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As Northumberland departed to make arrangements for the interview at Flint, the king said to him: "I rely, "my lord, on your faith. Remember your oath, and "the God who heard it." Soon afterwards he followed with his friends and their servants, to the number of twenty-two. They came to a steep declivity, to the left of which was the sea, and on the right a lofty rock overhanging the road. The king dismounted, and was descending on foot, when he suddenly exclaimed, "I am "betrayed. God of Paradise, assist me! Do you not "see banners and pennons in the valley?" Northumberland with eleven others met them at the moment, and affected to be ignorant of the circumstance. "Earl "of Northumberland," said the king, "if I thought you "capable of betraying me, it is not too late to return." —"You cannot return," the earl replied, seizing the king's bridle; "I have promised to conduct you to the "duke of Lancaster." By this time he was joined by a hundred lances, and two hundred archers on horseback; and Richard, seeing it impossible to escape, exclaimed: "May the God, on whom you laid your hand, re-"ward you and your accomplices at the last day!" and then turning to his friends, added: "We are betrayed: "but remember that our Lord was also sold, and deli-"vered into the hands of his enemies."

They dined at Rhuddlan, and reached Flint in the evening. The king, as soon as he was left with his friends, abandoned himself to the reflections which his melancholy situation inspired. He frequently upbraided himself with his past indulgence to his present opponent: "Fool that I was!" he exclaimed: "thrice did I "save the life of this Henry of Lancaster. Once my "dear uncle his father, on whom the Lord have mercy! "would have put him to death for his treason and vil-"lany. God of Paradise! I rode all night to save him; "and his father delivered him to me, to do with him "as I pleased. How true is the saying, that we have "no greater enemy than the man whom we have pre-

"served from the gallows! Another time he drew his "sword on me, in the chamber of the queen, on whom "God have mercy! He was also the accomplice of the "duke of Gloucester, and the earl of Arundel: he con-"sented to my murder, to that of his father, and of all "my council. By St. John, I forgave him all; nor would "I believe his father, who more than once pronounced "him deserving of death."

The unfortunate king rose after a sleepless night, heard mass, and ascended the tower to watch the arrival of his opponent. At length he saw the army, amounting to eighty thousand men*, winding along the beach till it reached the castle, and surrounded it from sea to sea. He shuddered and wept, and cursed the earl of Northumberland, but was called down by the arrival of archbishop Arundel, the duke of Albemarle, and the earl of Worcester. They knelt to Richard, who drawing the prelate apart, held a long conversation with him. After their departure he again mounted the tower, and surveying the host of his enemies, exclaimed: "Good "Lord God! I commend myself into thy holy keeping, "and cry thee mercy, that thou wouldst pardon all my "sins. If they put me to death I will take it patiently, "as thou didst for us all." Northumberland had ordered dinner; and the earl of Salisbury, the bishop, and the two knights, sir Stephen Scrope, and sir William Feriby, sate with the king at the same table by his order; for since they were all companions in misfortune, he would allow no distinction among them. While he was eating, unknown persons entered the hall, insulting him with sarcasms and threats: as soon as he rose, he was summoned into the court to receive the duke of Lancaster. Henry came forward in complete armour, with the exception of his helmet. As soon as he saw the king, he bent his knee, and advancing a few paces, he repeated his obeisance with his cap in his hand.

Aug. 19.

* I have adopted the smaller number. The Harleian MS. swells it to 100,000 men.

"Fair cousin of Lancaster," said Richard, uncovering himself, "you are right welcome."—"My Lord,"—answered the duke, "I am come before my time. But "I will show you the reason. Your people complain that "for the space of twenty, or two-and-twenty years, "you have ruled them rigorously; but, if it please "God, I will help you to govern better." The king replied: "Fair cousin, since it pleaseth you, it pleaseth "us well." Henry then addressed himself successively to the bishop and the knights, but refused to notice the earl. The king's horses were immediately ordered; and two lean and miserable animals were brought out, on which Richard and Salisbury mounted, and amidst the flourish of trumpets and shouts of triumph followed the duke into Chester.

At Chester writs were issued in the king's name for the meeting of parliament, and the preservation of the peace*. Henry dismissed the greater part of his army, and prepared to conduct his prisoner to the capital. At Lichfield Richard seized a favourable moment to let himself down from his window, but was retaken in the
Aug. 24. garden, and from that moment was constantly guarded by ten or twelve armed men. In the neighbourhood of London they separated. Henry, accompanied by the
Aug. 30. mayor and principal citizens, proceeded to St. Paul's, prayed before the high altar, and wept a few minutes over the tomb of his father: the king was sent to Westminster, and thence on the following day to the Tower, and as he went along, was greeted with curses, and the
Aug. 31. appellation of "the bastard," a word of ominous import, and prophetic of his approaching degradation†.

When the duke first landed in England, he had sworn on the gospels that his only object was to vindicate his right to the honours and possessions of the house of Lancaster. If this was the truth, his ambition had

Rym. viii. 84. Brady, iii. 419.

† This alluded to a report which had been spread that he was not the son of the Black Prince, but of a canon of Bordeaux.

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grown with his good fortune. He now aspired to exchange the coronet of a duke for the crown of a king. Can we believe that he would meet with opposition from his associates, the Percies? yet, so we are assured. They, however, by their perfidy, had given themselves a master. Their retainers had been already dismissed; and the friends of Richard abhorred them as the worst of traitors. They had therefore no resource but to submit, and to second the design of Lancaster*. After several consultations it was resolved to combine a solemn renunciation of the royal authority on the part of Richard, with an act of deposition on the part of the two houses of parliament, in the hope that those whose scruples should not be satisfied with the one, might acquiesce in the other. To obtain the first, the royal captive was assailed with promises and threats. Generally he abandoned himself to lamentation and despair: occasionally he exerted that spirit which he had formerly displayed. "Why am I thus guarded?" he asked one day. "Am I "your king or your prisoner?"—"You are my king, "sir," replied the duke with coolness; "but the coun- "cil of your realm has thought proper to place a guard "about you." On the day before the meeting of parliament a deputation of prelates, barons, knights, and lawyers, waited on the captive in the Tower, and reminded him, that in the castle of Conway, while he was perfectly his own master, he had promised to resign the crown on account of his own incompetency to govern. On his reply that he was ready to perform his promise, a paper was given him to read, in which he was made to absolve all his subjects from their fealty and allegiance, to renounce of his own accord all kingly authority, to acknowledge himself incapable of reigning, and worthy for his past demerits to be deposed, and to swear by the holy gospels that he would never act, nor, as far as

Sept. 29.

* Hardyng by Ellis, 351—6. He was partial to the Percies; but he tells us what he saw, and what he heard from the earl himself.

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in him lay, suffer any other person to act, in opposition to this resignation. He then added, as from himself, that if it were in his power to name his successor, he would choose his cousin of Lancaster, who was present, and to whom he gave his ring, which he took from his own finger *.

Such is the account of this transaction inserted by the order of Henry in the rolls of parliament; an account, the accuracy of which is liable to strong suspicion. It is difficult to believe that Richard had so much command over his feelings, as to behave with that cheerfulness which is repeatedly noticed in the record; and the assertion that he had promised to resign the crown, when he saw Northumberland in the castle of Conway, is not only contradictory to the statement of the two eye-witnesses, but also in itself highly improbable. From the fate of Edward II.. with which he had so often been threatened, he must have known that it was better to flee to his transmarine dominions, which were still open to him, than to resign his crown, and remain a prisoner in the custody of his successor.

Sept. 30. The next day the two houses met amidst a great concourse of people in Westminster hall. The duke occupied his usual seat near the throne, which was empty, and covered with cloth of gold. The resignation of the king was read; each member standing in his place signified his acceptance of it aloud; and the people with repeated shouts expressed their approbation. Henry now proceeded to the second part of his plan, the act of deposition. For this purpose the coronation oath was first read; thirty-three articles of impeachment followed, in which it was contended that Richard had violated that oath; and thence it was concluded that he had by his misconduct forfeited his title to the throne. Of the articles, those which bear the hardest on the king are the part which he was supposed to have had in the

* Rot Parl. iii. 416, 417.

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death of the duke of Gloucester, his revocation of the pardons formerly granted to that prince and his adherents, and his despotic conduct since the dissolution of parliament. Of the remainder, some are frivolous; many might, with equal reason, have been objected to each of his predecessors; and the others rest on the unsupported assertion of men, whose interest it was to paint him in the blackest colours. No opposition had been anticipated, nor is any mentioned on the rolls: but we are told that the bishop of Carlisle, to the astonishment of the Lancastrians, rose, and demanded for Richard what ought not to be refused to the meanest criminal, the right of being confronted with his accusers; and for parliament what it might justly claim, the opportunity of learning from the king's own mouth, whether the resignation of the crown, which had been attributed to him, were his own spontaneous act*. If Merks actually made such a speech, he must have stood alone: no one was found to second it: the house voted the deposition of Richard; and eight commissioners ascending a tribunal erected before the throne, pronounced him degraded from the state and authority of king, on the ground that he notoriously deserved such punishment, and had acknowledged it under his hand and seal on the preceding day. Sir William Thirnyng, chief justice, was appointed to notify the sentence to the captive, who meekly replied, that he looked not after the

* Rot. Parl. 417—422. This fact was first called in question by Kennet on the ground that it is not supported by contemporary authority. Of the two contemporary French writers one records the bishop's speech; the other does not. Both, however, make so many mistakes in their narratives after the capture of Richard, that no inference can be safely drawn from the testimony of the one or the silence of the other. One thing after all is certain, that if Merks did not make the speech attributed to him, he had done something which gave great offence to Lancaster; for he was placed about this time in confinement in the abbey of St. Albans, and brought before parliament as a prisoner on the 28th of October. Nor am I sure that there is not some allusion to his imprisonment or its cause in the metrical French history, where it is said of the bishop,

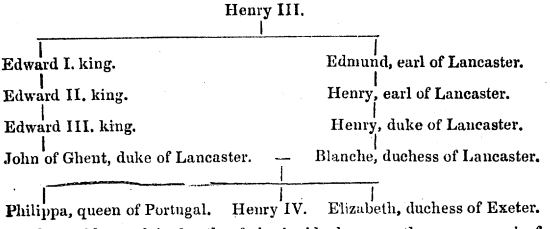
Ne pour parole
Quon liu en dist, oncques nen changea role.
Arch. xx. 322.

royal authority, but hoped his cousin would be good lord to him *.

The rightful possessor was now removed from the throne. But, supposing it to be vacant, what pretensions could Henry of Lancaster advance to it? By the law of succession it belonged to the descendants of Lionel, the third son of Edward III.; and their claim, it is said, had been formally recognised in parliament. All waited in anxious suspense, till the duke rising from his seat, and forming with great solemnity the sign of the cross on his forehead and breast, pronounced the following words: "In the name of the Father, Son, "and Holy Ghost, I, Henry of Lancaster, challenge this "realm of England, and the crown, with all the mem-"bers and appurtenances, as that I am descended by "right line of blood, coming from the good lord, king "Henry III., and through that right that God, of his "grace, hath sent me with help of my kin and of my "friends to recover it: the which realm was in point to "be undone for default of governance, and undoing of "good laws." In these extraordinary terms did Lancaster advance his pretensions, artfully intermixing an undefined claim of inheritance † with those of conquest

* Rot. Parl. iii. 423, 424.

† He descended from Henry III. both by father and mother.



But he could not claim by the father's side, because the young earl of March was sprung from the duke of Clarence, the elder brother of John of Ghent; nor by the mother's side, because she was sprung from Edmund of Lancaster, a younger brother of Edward I. It was pretended that Ed-

and expediency; and rather hinting at each, than insisting on either. But, however difficult it might be to understand the ground, the object of his challenge was perfectly intelligible. Both houses admitted it unanimously; and, as a confirmation, Henry produced the ring and seal which Richard had previously delivered to him. The archbishop of Canterbury now took him by the hand, and led him to the throne. He knelt for a few minutes in prayer on the steps, arose, and was seated in it by the two archbishops. As soon as the acclamations had subsided, the primate stepping forward, made a short harangue, in which he undertook to prove that a monarch in the vigour of manhood was a blessing, a young and inexperienced prince was a curse to a people. At the conclusion the king rose:—"Sirs," said he, "I thank God, and you, spiritual and temporal, "and all estates of the land: and do you to wit, it is not "my will that no man think that by way of conquest I "would disinherit any man of his heritage, franchises, "or other rights that him ought to have, nor put him "out of that that he has, and has had by the good laws "and customs of the realm; except those persons that "has been against the good purpose, and the common "profit of the realm*."

With the authority of Richard had expired that of the parliament, and of the royal officers. Henry immediately summoned the same parliament, to meet again in six days, appointed new officers of the crown, and as soon as he had received their oaths, retired in state to the royal apartments. Thus ended this eventful day, with the deposition of Richard of Bordeaux, and the succession of his cousin, Henry of Bolingbroke. Oct. 6.

mund was the elder brother, but deformed in body, and therefore set aside with his own consent. If we may believe Hardyng, Henry on the 21st of September produced in council a document to prove the seniority of Edmund over Edward, but that the contrary was shown by a number of unanswerable authorities. Hardyng, 353.

* Rot. Parl. iii. 422, 423.

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The features of Richard were handsome, but feminine; his manners abrupt; his utterance embarrassed. He possessed some taste for literature, and occasionally gave indications of resolution and spirit. But he was passionately fond of parade and pleasure; and the loss of his crown has been sometimes attributed to his extravagance and pecuniary exactions. It would, however, be difficult to prove that his expenses were greater than those of his predecessors: it is certain that his demands on the purses of his subjects were considerably less. "What concern have you," he once observed to the commons, "with the establishment of my house-"hold as long as I maintain it without asking you for "assistance * ?" His misfortunes may be more correctly traced to the early age at which he mounted the throne, and to the precautions taken by his mother and her friends to defeat the supposed designs of his uncles. By these he was estranged from the princes of his blood, whose pride refused to pay court to a boy; and whose neglect compelled him to fix his affections on his ministers and companions †. Jealousies and rivalry ensued, which ended in the celebrated commission of government, and the ruin, perhaps originally undeserved, of the royal favourites. When the king had recovered the exercise of his authority, he reigned in comparative tranquillity for a long period; but his conduct in the twenty-first and twenty-second years of his reign betrayed such a thirst for revenge, and habit of dissimulation, such despotic notions of government, and so fixed a purpose of ruling without control, that no reader can be surprised at the catastrophe which followed. We may, indeed, abhor the wiles by which he was ensnared; may sympathise with him in his prison; and

* Rot. Parl. 339. Richard appears from his will to have placed several sums, his own property, in different places of security, to the amount of 91,000 marks. Rym. viii. 77.

† "Qil plese au Roy attrere a li gentz destat et de bien et de honeur, et comuner ovesqes eux et eschuire la compaignie dautres." Advice to him from his council. Acts of Coun. i. 86.

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may condemn the policy which afterwards bereaved him of life; but at the same time we must acknowledge that he deserved to be abandoned by the people, on whose liberties he had trampled, and to forfeit that authority which he sought to exalt above the laws and constitution of his country.

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CHAPTER IV

HENRY IV

SURNAMED OF BOLINGBROKE.

CONTEMPORARY PRINCES.

Emp. of Ger.	*K. of Scotland.*	*K. of France.*	*K. of Spain.*
Winceslaus ..1400	Robert III. ..1405	Charles VI.	Henry III.
Robert 1410	James I.		
Sigismund.			

Popes:

Boniface IX. 1404. Innocent VII. 1406. Gregory XII. 1409.
Alexander V. 1410. John XXIII.

Coronation of the new King—Insurrection—Death of Richard—War against the Scots—Rebellion of the Percies—Insurrection in Yorkshire—Rebellion of Owen Glendower—Transactions with France—Settlement of the Crown—Death of the King—Privileges and Authority of the House of Commons—Statutes against the Lollards.

A. D. 1399. Oct. 13. THE new king assumed the name of Henry IV., and was crowned within a fortnight after the deposition of his predecessor, on the anniversary of the day on which he went into banishment. The ceremony was performed after the usual manner, but with this addition, that the sword, which he wore when he landed at Ravenspurn, was borne naked, on his left hand, by the earl of Northumberland, during the procession *.

* The earl received the Isle of Man, which had belonged to sir William le Scrope, earl of Wiltshire, in fee "for himself and his heirs for the service "of carrying this sword at the present and all future coronations." Rym. viii. 89. 91. 95.

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The new parliament had already assembled; and, as the members were the same individuals who sate in the last, they displayed an equal obsequiousness to the will of the monarch. All the vindictive acts of the twenty-first year of the late reign were repealed; the proceedings of the eleventh year against the favourites of Richard were recalled into force; and the attainders of the earls of Arundel and Warwick were reversed. The introduction of an act of settlement would have supposed the possibility of a doubt as to the king's title to the crown. This was therefore avoided: but his eldest son was created prince of Wales, duke of Guienne, Lancaster, and Cornwall, and earl of Chester; and was declared in parliament the apparent heir to the throne. The name of the earl of March, the rightful heir, was never mentioned. His friends wisely withheld his right from discussion; and the king was satisfied with keeping him and his brother (the eldest was only in his seventh year) in honourable confinement at the royal castle of Windsor *.

Oct. 6.

Oct. 15.

The lords, who had formerly appealed the duke of Gloucester and his associates of treason, were now summoned to justify their conduct. They all made the same defence, that they had neither advised nor framed the appeal; that they were compelled to put their seals to it by the threats of Richard; and that in prosecuting it they were no more guilty than the other lords, who had condemned the appellees. The discussion of this subject revived all the animosities of the last reign; and the opprobrious terms of liar and traitor were bandied about from one side of the house to the other. On one occasion, when the lord Fitzwalter made the charge against the duke of Albemarle, twenty other lords rose, and cast with him their hoods as pledges of battle on the floor. The accused in return threw down his hood; and all were gathered up, and given into the

Oct. 19.

* Rot. Parl. iii. 425—428. 454. 456. Rym. viii. 91—94.

Oct. 29. custody of the earl constable and earl marshal. On another day the lord Morley charged the earl of Salisbury with falsehood to the duke of Gloucester, whose secrets he had betrayed to the late king: Salisbury met him with a flat denial, and both cast their gloves on the floor. In conclusion, however, Henry by his authority silenced these passionate disputants, and a compromise was effected by which the lords appellants forfeited the honours and the estates which they had obtained from Richard in reward of their appeal. The dukes of Albemarle, Surrey, and Exeter, the marquess of Dorset, and the earl of Gloucester, descended to the inferior rank from which they had been raised, and became again earls of Rutland, Kent, Huntingdon, and Somerset, and lord le Despenser *.

To prevent the recurrence of those vindictive proceedings which had twice disgraced the last, and, from the temper of the lords, threatened to disgrace the present reign, several useful statutes were enacted. One confined the guilt of treason to the offences enumerated in the celebrated act of Edward III.; another abolished appeals of treason in parliament, and sent the accuser to the established courts of law; a third declared that the authority of parliament should never more be delegated to a committee of lords and commons; and a fourth forbade, under the heaviest penalties, any person besides the king to give liveries to his retainers. These badges had long been one of the principal expedients by which the great lords were enabled to increase their power, and to maintain their quarrels. Whoever wore the livery was bound in honour to espouse the cause of the donor; and it was worn not only by those who received fees, or were engaged in actual service, but

* Rot. Parl. iii. 449—452. Archæol. xx. 275—281. It is singular that though the king had testified such a dislike to the earl of Salisbury, and had called upon him for his defence, he was unnoticed in the judgment. The duel between him and the lord Morley was appointed to be fought at Newcastle: for on the Issue Roll of 1 Hen. IV., Feb. 17, is a payment to John Vaux sent by the constable to that town to superintend the trial.

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by as many as were willing to accept it as an honour, or in token of friendship, or with a view to future emolument *.

Before the close of the session the lords spiritual and temporal were charged by the archbishop of Canterbury, on the part of the king, to keep the resolution they were about to make an inviolable secret; and then the earl of Northumberland delivered to them a message, asking their advice respecting the future treatment of the deposed monarch, whose life the king was resolved to preserve at all events. They answered that he should be conducted secretly to some castle, where no concourse of people could assemble; should be placed under the custody of trusty officers; and should be excluded from all communication with those who had formerly been in his service. Four days later the king came to the house, adjudged the unfortunate Richard to imprisonment for life, and ordered him to be guarded in the manner suggested by the lords †.

Oct. 23.

Oct. 27.

Henry was now in possession of the grand object of

* Rot. Parl. iii. 428. 442. Stat. 1 Hen. IV. c. 10. 14. In the summer of this year a sect of fanatics suddenly appeared in Italy, called Bianchi and Albati, because they wore a long white gown, and covered their faces with a white veil, that they might not be known. To the amount of some thousands they assembled in different places, and undertook pilgrimages of eight or ten days; during which they walked in procession from town to town, following a large crucifix, chanting hymns, and fasting on bread and water. They were opposed by the pope, and severely forbidden in France. Henry in this parliament issued a proclamation with the assent of the lords spiritual and temporal, ordering that if any of them arrived in an English harbour, they should not be permitted to land. Rot. Parl. iii. 428. It is singular that some Italian and contemporary writers should say, that the founders of the sect came from England or Scotland (see Spondanus, i. 671); and that the description of them in the proclamation should be nearly the same as that of the itinerant priests in the 5th of Richard II. In the first the Bianchi are called, gentz vestuz de blanche vesture, et soi pretendantz de grande saintete: in the other the preachers are termed, persones en certains habitz souz dissimulation de grant saintee. Rot. Parl. iii. 124.

† Rot. Parl. 426. 427. It should be observed that the members of this house of commons were in reality elected by the king. They had been chosen by writs issued in the name of Richard: but though the existence of the parliament was acknowledged to have expired at his deposition, and on that account Henry summoned a new parliament; yet the same representatives of the commons were ordered to attend, without having been again returned by their constituents.

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his ambition: but he soon learned that it was more easy to win the crown than to retain it. The hostility of foreign princes, who continued to treat him as an usurper, and the wavering fidelity of his own subjects, of whom some panted to revenge the wrongs of the late king, and others were discontented that their services had not been more amply rewarded, kept him in a state of perpetual alarm. During the lapse of nine years he was constantly harassed, sometimes by secret attempts on his life, sometimes by overt acts of rebellion, on one occasion by the inroads of the Scots, and on another by the descents of the French: but his powers seemed to grow with his difficulties, and by his vigilance, temper, and activity, he not only succeeded in keeping the crown on his own head, but peaceably transmitted it to his posterity. The first attempt against him was made by five of the lords appellants, who had so narrowly escaped with their lives in the last parliament. Within a month after its dissolution they agreed to hold a tournament at Oxford, and employ that opportunity to seize the person of the king, and subsequently to proclaim and liberate Richard. During the Christmas holidays they assembled: but one of their number was wanting; and he, unknown to them, had proved a traitor. It is said that the earl of Rutland received a letter from some of his associates at table; that his father, the duke of York, insisted on learning its contents; and that the son, finding it impossible to conceal his secret, hastened to reveal it to Henry. However that may be, on the evening of the day appointed, the conspirators with five hundred horse surprised the castle of Windsor: but Henry, warned by Rutland, had left it in the morning, and was already in London; where he issued writs for their apprehension as traitors*, and was employed in levying troops to march against them. Alarmed and disconcerted, they resolved to retire into the west; pro-

A.D. 1400. Jan. 4. Jan. 5.

* Rym. viii. 120.

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claimed Richard in all the towns and villages on their route; and the next evening took up their quarters in Cirencester*. The mayor, who had already received the king's writ, summoned the burghers, and the inhabitants of the neighbourhood, and at midnight made an attack on the quarters of the earls of Kent and Salisbury. Every attempt to escape was repelled by the archers posted in the street; and after a defence of six hours these unfortunate noblemen were compelled to surrender. They were conducted into the abbey: but a fire which burst out the next evening was attributed to their partisans; and in the middle of the night they were brought forth and beheaded by the populace†. The lords Lumley and Despenser had proceeded forwards, but met with a similar fate from the citizens of Bristol. The earl of Huntingdon was taken in the neighbourhood of London, and put to death at Pleshy by the tenants of the late duke of Gloucester at the suggestion of the countess of Hereford, the eldest of Gloucester's daughters‡. Sir Thomas Blount, Sir Bennet Shelley, and eighteen others, suffered in the Greenditch at Oxford, Feriby and Maudelin, the chaplains of Richard, in London§. Besides the latter two other clergymen of

Jan. 6.

Jan. 7.

Jan. 9.

* Rym. viii. 165.

† Rot. Parl. iv. 18. Wals. 363. The women appear to have been very active in the king's cause, who, to reward the inhabitants of Cirencester, made an annual grant of four does and a hogshead of wine to the men, and of six bucks and a hogshead of wine to the women of that town. Rym. viii. 250.

‡ It has been doubted whether he was put to death at Pleshy, because there is an order to the constable of the Tower to receive him as a prisoner on the tenth (Rym. viii. 120). But it is probable that he was murdered by the people before the order was executed. According to Walsingham, he was put into the gate-house at Pleshy, and taken thence to die. Wals. 363.

§ That the reader may form a notion of the barbarous manner in which executions for treason were conducted, I will relate that of sir Thomas Blount in the words of a contemporary writer:—"He was hanged; but the "halter was soon cut, and he was made to sit on a bench before a great fire, "and the executioner came with a razor in his hand, and knelt before sir "Thomas, whose hands were tied, begging him to pardon his death, as he "must do his office. Sir Thomas asked: 'Are you the person appointed "to deliver me from this world?' The executioner answered, 'Yes, sir, I "pray you pardon me.' And sir Thomas kissed him, and pardoned him "his death. The executioner knelt down, and opened his belly, and cut

higher rank, Walden and Merks, had been selected for victims. Walden, the successor, as the reader will recollect, of archbishop Arundel, had descended from his station on the recall of that prelate, and remained a bishop without a bishopric*. Merks, the bishop of Carlisle, whom we left in confinement at St. Albans, had been liberated at the solicitation of the pontiff.
Jan. 10. Both prelates were now arrested as accomplices of the late conspirators, and were committed to the Tower. Walden had the good fortune to satisfy the king of his innocence; and not only obtained his freedom, but was advanced, on the recommendation of the primate, to the see of London. But Merks had offended too grievously before, to hope for mercy, or perhaps justice, now. He
Jan. 28. was tried, convicted, and condemned to suffer the death of a traitor. The pope, to release him from the gripe of his persecutor, had already translated him to the distant bishopric of Cephalonia in the isle of Samos. But Henry
Mar. 15. refused to forego the gratification of his revenge, and insisted that the prelate should be degraded from his orders preparatory to his execution. This demand fortunately caused a temporary respite; the pope demurred; the king's passion gradually cooled; and at last, to gratify the pontiff, Henry signed the pardon of the
Nov. 28. bishop. Merks eventually obtained the favour both of the primate and the monarch. By the first he was appointed his commissary, from the other he obtained

"out his bowels strait from below the stomach, and tied them with a string "that the wind of the heart should not escape, and threw the bowels into "the fire. Then sir Thomas was sitting before the fire, his belly open, "and his bowels burning before him. Sir Thomas Erpyngham, the king's "chamberlain, insulting Blount, said to him in derision, 'Go, seek a mas-"ter that can cure you.' Blount only answered: 'Te Deum laudamus. "Blessed be the day on which I was born, and blessed be this day, for I "shall die in the service of my sovereign lord, the noble king Richard.' "The executioner knelt down before him, kissed him in an humble man-"ner, and soon after, his head was cut off, and he was quartered." Relation, &c. MS. p. 232. The heads of the lords and others then executed were sent to the capital, and fixed on London bridge. Fabyan, 568.

* The pope had pronounced Arundel's translation to St. Andrews void, because it was without Arundel's consent. Acts of Coun. i. 115.

preferment. He died rector of Todenham in Gloucestershire, in 1409*.

Such was the result of this premature and ill concerted conspiracy: it strengthened the throne of the new king. But he had still reason to fear the hostility of a dangerous adversary, the king of France, who had been deeply offended by the deception practised upon him by Henry at his departure from Paris, and who deemed himself called upon by honour, as well as affection, to espouse the cause of his own daughter and of his son-in-law. At first he had an intention of sending ambassadors to the parliament†: but this design was soon abandoned; the voice of his people pronounced in favour of war: offers of military service were made, and bodies of armed men marched towards the coast. To avert the threatened storm, Henry appointed commissioners to treat with Charles for a confirmation of the existing truce, and for intermarriages between individuals of his family and of the royal family of France‡. They proceeded to Calais; and a herald hastened to the capital to solicit a safe conduct for the ambassadors of the king of England; but Charles returned a peremptory refusal—he knew no king of England but Richard, his son-in-law. Henry now anticipated nothing but war; and, unwilling to risk his popularity by demanding an aid from the nation, summoned a great council of peers, exposed to them the proofs of the hostile disposition shown by the French monarch, and procured from them

A.D. 1399. Oct. 31.

Nov. 29.

A.D. 1400. Feb. 9.

* Rym. iii. 124. Acts of Coun. i. 116., and Kennet's Third Letter to the bishop of Carlisle, 1713.

† So I conclude from the letter of safe conduct signed by Henry on the 31st of October, for four individuals therein named, whom *he understood* that his dear cousin of France intended to send on an embassy to him. It is plain that this safe conduct had not been formally asked for: yet a hint must have been given to him that it would probably be accepted: otherwise he would not have inserted the very names of the intended envoys. See Rym. viii. 98.

‡ This was a singular commission, empowering the ambassadors to treat with the king of France and his uncles, paternal and maternal, for marriages to be had between the prince of Wales, his brothers and sisters, and the children, male or female, of the king of France, or of his uncles aforesaid. Rym. viii. 108.

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an engagement, by which the lords spiritual granted to him a tenth of their moveables for the war, and the lords temporal their personal service at their own cost with a certain number of retainers for three months *. These precautions, however, proved unnecessary; for Charles in the mean while had received intelligence, which left no doubt on his mind that Richard was dead. All thought of war was instantly abandoned: he had now nothing to fight for; and on this account he signed an instrument stating that he should not disturb the truce which had been concluded during the lifetime of his dear son Richard king of England, on whose soul he prayed God to have mercy; despatched Blanchet, maistre des requestes, to demand at Calais the restoration of his daughter Isabella with her dower and her jewels; and appointed commissioners to treat, but on that subject only, with the English commissioners somewhere between Boulogne and Calais †. Henry immediately renewed the powers of his envoys at Calais for the same objects as before, but with this difference, that Charles, who was in the former instrument his most dear cousin, is now "his adversary of France ‡."

Jan. 29.

Feb. 19.

Hitherto, from the day on which Richard had been consigned to secret and perpetual confinement by advice of the lords, all trace of him seemed to be lost. No man in England pretended to know where he was, or in what manner he was treated. But after the public statement of his death by the king of France, the secret could be no longer kept. It became necessary to acknowledge his death, or to show that he was still alive. One day, when the council assembled, the first article on the paper of subjects for deliberation (by whose order the entry was made we know not) regarded the manner

* Acts of Coun. i. 102—6.

† Thres. des Chart. 66 They were ordered not to call Henry king of England, but in speaking to the English envoys, "le seigneur qui vous a "envoyez;" in writing, "la partie d'Angleterre. Ibid. 67.

‡ Rym. viii. 128.

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in which Richard the late king, if *he were still alive*, as it was supposed that he was, should be well and safely kept for the preservation of the estate of the king and kingdom. The answer betrays a real or affected ignorance, but at the same time a strong suspicion on the part of the lords. "It seemeth," they say, "expedient "to the council to speak to the king that, in case Richard, "lately king, &c., be still alive, he be put into safe "keeping in conformity with the advice of the lords; "but, if he be departed this life, that then he be *shown* "*openly to the people*, that they may have knowledge "of it *." Only a short time passed, and the dead body of the dethroned prince was conveyed with funeral pomp from the castle of Pontefract to the capital, and then, during two days on which it lay in St. Paul's, *was shown openly to the people*; that is, was exposed with the face bare from the eyebrows to the chin, to the gaze of the spectators, who amounted, we are told, to twenty thousand persons. Henry himself attended the obsequies—with what feelings must be left to the imagination of the reader. After the mass on the second day the corpse was removed to the Abbey church of Westminster; a dirge was chanted; and the procession moved forward to Richard's once favourite residence at Langley. There it was interred: the king perhaps feared the recollections which his tomb might sometimes awaken, if he had been buried at Westminster †.

Mar. 12.

But how, the reader will inquire, did the unfortunate prince come by his death? It is seldom that the secrets

* Si . . . . soit encore vivant, a ce que len suppose quil est . . . . sil soit alez de vie a trespassement, quadonqes soit monstrez overtement au people. Acts of Coun. 167. 111. For this important document we are indebted to the research of Sir Nicholas Harris Nicolas, who justly remarks that it refers to some day between the 2nd and the 24th of February. In the Issue Rolls of 1. Henry IV. is a payment to a person sent about this time to Pontefract upon the king's secret affairs, another to one coming thence to announce something to his advantage, and of 100 marks to the keeper of the wardrobe for the conveyance of Richard's body to London. If the date of the last, Feb. 17, be correct, the council was held in the early part of the month.

† Wals. 405. Otterb. 288. Froissart. Hardyng, 357.

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of the prison-house are suffered to transpire: in the present instance we are left entirely to conjecture. Richard may possibly have died of disease in his bed: the events immediately preceding will provoke a suspicion that he owed the loss of his life to the order of the man who had already bereaved him of his crown. No time could be more opportune for the commission of such a crime. Who in England, whilst the heads of Richard's adherents were still mouldering on London bridge, would venture to charge Henry with the murder? and the death of the captive would at once relieve him from the apprehension of that war, with which he was threatened by the king of France. But, however that may have been, several tales were soon current respecting the manner of Richard's death. By some it was said that, on the eighth day after Henry's departure from Windsor, Sir Piers Exton with seven assassins entered the cell; that Richard, aware of their object, wrested a battle-axe from one of the number, and laid several at his feet; but that Exton with one blow brought him to the floor, and with another deprived him of life. This story, which from its minuteness of detail might be thought to have some foundation in fact, was believed on the continent; but is in reality undeserving of credit, because it was unknown in England to those whose interest it was to discover and to publish the truth*. The more general belief was that the captive died of starvation; voluntary starvation, if we may give credit to the friends of Henry, in consequence of Richard's grief for the fate of his adherents; compulsory starvation, if we listen to the opposite party, in consequence of orders given by him who hoped to profit by his death. But of this there is no proof; and the story itself, as far

* I should add, that when Richard's tomb was opened, and the skull examined, there was no appearance of any wound, unless the opening of the suture above the os temporis might have been caused by a blow. Arch. vi. 316. The os temporis was probably concealed by the bandage when the face was exposed.

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as regards the manner of death, had probably no other foundation than the emaciated state of the face, when it was exhibited at St. Paul's *.

Henry very prudently abstained from taking any notice of these rumours. It was enough for him that he had proved the death of Richard: to have gone into any explanation of the cause of that death might have been construed into consciousness of guilt. But his silence encouraged the friends of the deposed monarch to persuade themselves that the object of their devotion was still alive. It was not, they maintained, his body, but the body of Maudelin, that had been shown at St. Paul's; of Maudelin, a man so like in feature to Richard, that, to deceive the people, he had been adorned in princely vesture during the insurrection, and had voluntarily personified the royal captive. But it is plain that the men, who gave credit to this tale, had suffered their feelings to blind their judgment †. No benefit, which

* Much reliance has been placed on the following testimony of archbishop Scrope. Ubi eum breviter, (ut vulgariter dicitur quindecim dies et totidem noctes,) in fame, siti et frigore vexaverunt et crucifixerunt; et tandem morte turpissima, adhuc regno nostro Angliæ penitus incognita, sed gratia divina diutius non celanda, interimerunt et occiderunt. Ang. Sac. ii. 365. But in my opinion this passage will bear a very different interpretation. It states that for fifteen days they tormented him with hunger, thirst, cold and ill treatment, and then (tandem) put him to death after a manner, which had hitherto continued unknown, but which God's providence would not permit to be much longer concealed. Most assuredly, then, Scrope had not been able to discover the manner of Richard's death.

† Of this we have an instance in the French poet, the devoted admirer of Richard, who wrote before the end of 1401. Some said that Richard died of grief; but, says he,

vrayement
Je ne le croy pas aisement;
Car aucuns dient pour certain
Quil est, encore vif et sain
Enferme dedens leur prison.

Of course, the dead body exhibited was that of some one else.

Pas ne croy
Que ce fust le roy ancien,
Ains croy que c'estoit Madelien.

But in conclusion he owns that he knows not but that Richard is dead.

Et se cestoit il, main et tart
Prie je de vray cuer a Dieu
Qui est misericors et pieu,
Quil veuille es sains chieulx
Avoir lame
De ly. Arch. xx. 408, 9.

Henry could have derived from such a fraud could be worth the risk of detection, either by the thousands of spectators well acquainted with the features of Richard, or by the possible reappearance of that prince himself on some future occasion; a detection which would have convicted the new king in the eyes of the whole world, not only of imposture, but also of sacrilege.

After the public funeral of Richard, it became more difficult for Henry to elude the repeated demand of the French king that his daughter should be sent home with her jewels, and with the surplus of her marriage portion. He consulted the two universities whether the personal obligations of Richard descended to his successor; their answer was unfavorable. He suggested a marriage between her and his own son Henry; it was replied that her father could not with honour entertain the proposal till he had her in his keeping: he offered to restore her at Candlemas on the next year; the offer was taken as a mere artifice to gain time. At length Charles, apprehensive that Henry's object was to detain her till the completion of her twelfth year, and then to procure her consent to a marriage in England *, submitted to receive her with her jewels, at the moment, and to reserve the amount of the money for subsequent discussion. Isabella was restored to her parents, but the repetition of the demand for the dower was met with an opposite claim for one

July 17.

A. D. 1401. May 27.

Aug. 1.

* Si faulce entention estoit telle de le (la) donner á son fils aisné. Creton to Richard, whom he then supposed to be alive. — Archaeol. xxviii. 80. Henry's commission to treat of marriages between the two royal houses has been noticed on p. 281; and the advice of the council (Acts of Coun. i. 118) shows that the persons chiefly meant were Isabella and the prince of Wales, whose marriage would do away every difficulty. — See also Thresor des Chartes, p. 67, 69.

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million five hundred thousand crowns still remaining unpaid of the ransom of king John, who had been made prisoner at the battle of Poitiers. The French rejoined that England had never complied with the provisions of the subsequent treaty of Bretigni. Thus was opened a new field of endless litigation, from which Charles at length withdrew; but, instead of surrendering his claim, he transferred it to his daughter on her marriage with his nephew Charles, count of Angoulême *. A. D. 1404. June 5.

One of the charges against the late unfortunate monarch was, that he had degenerated from the military virtues of his family. Anxious to escape a similar reproach, the new king determined to signalise the commencement of his reign by an expedition into Scotland. He hinted the design to his parliament: but it was thought imprudent to hazard discontent by the imposition of new taxes; and in a great council of the spiritual and temporal peers, it was agreed, that the former should give to the king a tenth of their incomes, and the latter should serve in the army with a certain number of men, for a limited period, at their own charges †. Henry summoned all persons possessed of fees, wages, or annuities, granted by Edward III., the Black Prince, Richard II., or the duke of Lancaster, to meet him at York under the penalty of forfeiture; and from the banks of the Tyne despatched heralds to king Robert, and the barons of Scotland, commanding them to appear before him in the castle of Edinburgh, on the 23rd of August, and to do him homage for the Scottish crown and their several fiefs. He marched to Leith without opposition: but the castle of Edinburgh was in the hands of the duke of Rothsay, the eldest son of the king, who derided the pompous claim of his adversary, and offered to decide the quarrel in equal combat with one, two, or three hundred Scottish, against the same

Feb. 9. June 9. June 15. Aug. 6. Aug. 22.

* For these particulars see Rym. viii. 108, 9. 28. 42. 52 69. 86. 94. 203. 07. 15. Acts of Coun. i. 130—142. Thres. des Chart. 66, 67. 299.

† Rym. viii. 125. Acts of Council, i. 104.

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number of English knights*. Henry received the proposal with contempt, and waited several days for the arrival of the Scottish army, under the duke of Albany, who acted as regent during the infirmity of the king. But the duke was too prudent to attack an enemy, who was already defeated by famine; and the English, having consumed their provisions, retired in haste within their own borders. It was a useless and inglorious expedition; but it afforded the king an occasion to exhibit, to his followers and the enemy, a moderation unknown in the annals of Scottish warfare. From humanity, or policy, he laboured to mitigate the horrors of invasion; his protection was instantly afforded to all who asked it; and the royal banner displayed from the steeple of a church, or the turret of a castle, secured the village and its inhabitants from the violence and rapacity of the soldiers†.

But from Scotland the king's attention was suddenly diverted to the principality of Wales, where, during his absence, the standard of independence had been raised by Owen, commonly styled Owen Glendower, or of Glendowerdy. This adventurer had been educated "an apprentice of the law;" had afterwards waited as esquire on the earl of Arundel; and from the family of that nobleman had passed to the service of the late king, during the campaign in Ireland‡. At a later period he pretended to trace his descent in a direct line from the ancient princes of Wales: if he aspired now to a higher station than that which his fortune seemed to assign to him, it was that injustice provoked his resentment, and the gratification of resentment opened a new and inviting prospect to his ambition. It happened that a powerful and wealthy neighbour, the lord Grey of Ruthyn, appropriated to himself without ceremony a considerable portion of Owen's patrimony; and the injured Welsh-

* Rym. 146. 155. 157. † Fordun, xv. 11.
‡ Otterb. 230. Lel. Collec. ii. 310. Wals. 364.

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man petitioned the king in parliament for redress. It was not very probable that a poor partisan of Richard would prevail over his potent and favoured adversary: but the sting of disappointment was irritated by the scornful and insulting language in which the refusal was conveyed *. Owen was not a man to sit down inactive under an affront. Whether he actually awakened the vengeful spirit of his countrymen, or only improved the opportunity offered to him by a previous insurrection, is not easily determined; but the natives burst suddenly into the English marches, and in a few days Owen appeared at their head. The king pronounced him a traitor, and gave his lands in forfeiture to the earl of Somerset: but the Welshman returned to his sovereign a message of defiance, and declared himself the rightful prince of Wales. The experiment proved that the spirit of freedom still lived within the breasts of the natives. They instantly, and without inquiry, admitted the claim of Glendower; adventurers hastened from the capital, the universities and the most distant parts of the kingdom, to fight under his standard; and the Welsh indulged the flattering hope of being able to re-establish, like the Scots, the independence of their country †. To the pretender Henry opposed with the title of his lieutenant his own son, the legal prince of Wales. The youthful warrior penetrated into the valley, and gave to the flames the house of Glendowerdy: whilst Owen from the hills watched with coolness the steps of his impetuous adversary, and, the moment he was gone, poured his followers into the marches, and took ample and satisfactory revenge for the injuries which the prince had inflicted. Thrice within two years did Henry lead a numerous force against the insurgents, and thrice was he baffled by the conduct rather than the arms of his opponent; who, retiring among the mountains, left the

Sept. 20.

Nov. 8.

* "Scurri nudipedes." Let. ibid.
† Rolls, iii. 457. Rym. viii. 472. 3. 6.

A. D. 1402. invaders to contend with the inclemency of the season and the asperities of the country. By degrees Glendower assumed a bolder attitude. His original adversary, the lord Grey, was defeated by him and made prisoner on June 12. the banks of the Vurnway; and Sir Edmund Mortimer experienced a similar fate in a battle near Knyghton in Radnorshire. Impatient to repair these losses, Henry Aug. 27. collected his retainers at Shrewsbury; divided them into three armies, under himself, his eldest son, and the earl of Arundel; and thus invaded Wales at the same time from three different quarters. Still both force and policy proved unavailing. No enemy was to be discovered in the field: the heavens fought in favour of the natives; the valleys were deluged with rain; the king's tent was torn from its fastenings, and borne away in a storm; and the monarch, convinced that it was fruitless to contend with a man, who could call to his aid spirits from the vasty deep, returned with disgrace into England *.

In the mean while Henry had committed the charge of the Scottish war to the earl of Northumberland, and his son, sir Henry Percy or "Hotspur," the wardens of the western and eastern marches. By them he was informed that an unknown Englishman had lately been received at the Scottish court under the designation of Richard Plantagenet, king of England. In a short time May 9. letters from that very individual were conveyed to the principal friends of the deposed monarch, with an assurance that Richard himself would pass the border at the head of a Scottish army on the feast of St. John the baptist. The vigilance of the king was excited by this intelli- June 5. gence. He published proclamation after proclamation against the authors and propagators of false reports; 15. and ordered a statement of the late monarch's tyranny

* Let. Coll. ii. 310, 311. Otterb. 230. 1. 4. Rym. viii. 156. 167. 181. 225. Vita Ric. ii. 172—6. The indignities, almost incredible, offered to the bodies of the slain by the Welsh women, may be seen in Walsingham, 365.

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and of his own determination to govern according to law, to be made to the freeholders of every shire at the next county court. Arrests and executions followed: Sir Roger Clarendon, a natural son of the Black Prince, nine Franciscan friars, whose order Richard had always patronised, and several other persons in different parts, suffered the barbarous punishment of treason. By these severities Henry intimidated his opponents; but the proclamations produced so ample a harvest of charges and prosecutions, that to restore domestic tranquillity, he found himself compelled to recall his previous directions, and to confine the offence to words actually exciting to rebellion.

But who was the new adventurer in Scotland? How did he prove that he was the dethroned king of England? How did he account for his escape from the castle of Pontefract? To these questions no answer has ever been returned. The earliest Scottish historians first become acquainted with him at the house of Donald, Lord of the Isles, either as a menial performing the lowest offices in the kitchen, or a mendicant soliciting hospitality. The scullion, according to one account, is recognized for king Richard by no less a personage than a man who had been jester to that monarch; the wanderer, according to the other account, by the sister-in-law of Donald, who maintained, in defiance of his asseverations to the contrary, that she had seen him at the head of the English army in Ireland. These fables were plainly framed to account for the real fact, that Donald did send an unknown individual, under the name of king Richard, to the court of Robert of Scotland, by whom, after some deliberation, he was delivered to the lord of Cambernauld, to be kept in close custody. Robert's object is evident. The report of Richard's escape to Scotland would embarrass the

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king of England; the seclusion in which the adventurer was kept would prevent any detection of the imposture *.

To Henry it was of the first importance to unravel this mystery. For some time his efforts were fruitless; at last he was able to announce to his subjects that the pretended Richard was an idiot, by name Thomas Ward of Trumpington, and that the letters under his seal had been forged and forwarded by Serle, chamberlain to the late king †. A messenger, probably Donet, who had been intrusted with the care of these letters, fell into the hands of the king, and subsequently Serle himself was decoyed into the snare by Sir William Clifford. From these men it was said that Henry obtained all the particulars of the plot. Serle, however, did not save his life by the discovery; he was sent to London to suffer; and for greater notoriety was drawn on a sledge through all the towns in his way to the capital ‡.

* Wyntown, ii. 388. Bower in Heane's Fordun, 1133. Goodalls ii. 427. Wyntown wrote about the year 1420. Bower after 1441.

† Thomas Warde de trumpington, qui se pretende et feigne d'estre Roy Richard. Stat. of Realm, ii. 148. Rym. viii. 353. Whenever he is mentioned by the English authorities, in the Rolls, by Henry V., by archbishop Arundel, he is "the idiot in Scotland, the mawmet, le fol, fatuus, famulus infatuatus." See Rolls, iii. 584. 605. iv. 65. Archæol. xxiii. 297. Ellis, Sec. Series, i. 25, 26. Wyntown hints the same:

> "Quether he had ben king or nane,
> Ther wis but few that wyst certane —
> As he bare him, like was he
> Oft half wod or wyld to be."
> Wynt. ii. 389.

And in "Ye Yngliss Chronikle," Ye qwhilk deit a beggar and out of his mind, and was erdit i ye blak frers of Striviling. — Archæol. xx. 427.

‡ Rym. viii. 262. Otterb. 248, 9. Wals. 370. 1. Graft. 429.

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If the Scottish king contrived to keep alive the hopes of Henry's opponents in England, by countenancing the report that Richard was still alive, Henry was able to take his revenge through the aid of a Scottish nobleman, Dunbar, earl of March, who, on account of an affront offered to his daughter *, had given back his fealty to his own sovereign, and done homage to the English king. Dunbar made common cause with the Percies, and directed their inroads into Scotland, whilst the earl Douglas, who had received the forfeiture of the rebel, retaliated by similar incursions into England. It was agreed between the earls of March and Northumberland that each chieftain should hold the command in rotation: and in the second inroad by the Scots the invaders were intercepted by the former on Nesbit moor; their commander, Hepburn of Hales, with many of his companions, perished; and the remainder, the flower of the Lothian chivalry, were made prisoners †. The earl Douglas, to revenge this loss, solicited and obtained the aid of the duke of Albany. At the head of ten thousand chosen troops, he burst through the marches, and spread the havoc of war along each bank of the Tyne. But the earl of Northumberland, his son Henry Percy, surnamed Hotspur, and the earl of March, assembled an army in the rear of the plunderers, and at Milfield, near Wooler, awaited their return. On Holyrood day was fought a great and decisive battle. The Scots occupied the hill of Homildon; the English the opposite eminence. Percy ordered his archers to descend into the valley, from which they discharged their

June 22.

Sept. 14.

* The affront is thus described by himself in a letter to Henry. "The "duc of Rothesay spousit my douchter; and now agayn his oblising to "me made by his lettre and his seal, and agaynes the law of halikirk, "spouses ane other wife." MS. Vesp. F. vii. 22. Henry granted to him and his heirs, lands of the value of 500 marks a year. Rym. viii. 153.

† Ford. xv. 13. Act of Coun. i. 187.

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arrows with such force and precision, that they provoked Douglas with his men at arms to advance and attempt to disperse them. The archers retired slowly; and, halting at intervals, with repeated volleys arrested the progress of the enemy. Douglas was pierced with six wounds, and fell from his horse; the foremost and bravest of his companions experienced a similar fate; and the rest, disheartened and in confusion, fled towards the Tweed. Many were lost in attempting to cross that river: eight hundred were left on the field of battle. Among the wounded and captives were Douglas himself, Murdac Stewart, the son and heir of the regent, the earls of Moray and Angus, two barons, eighty French and Scottish knights, and many gentlemen of the first families in Scotland. It is remarkable, that in this battle the English men at arms never drew the sword. It was won by the archers alone, whose superior strength and dexterity had long been acknowledged by all the nations of Europe *.

The earl of Northumberland attended the next parliament with his prisoner Murdac Stewart, and six other captives, three Scottish, and three French knights. Oct. 20. They were introduced to Henry in his palace at Westminster. They knelt thrice, at the entrance of the hall, in the middle, and at the foot of the throne; where sir Adam Forster, by the command of Murdac, thus addressed the king: "Most excellent and dread prince, "my lord, who is here present, has directed me to re-"quest, both for himself and his companions, that you "would treat them honourably and graciously, accord-"ing to the law of arms." Henry coldly replied, that they were welcome: and Forster proceeded to exhort him to spare the further effusion of Christian blood, and to treat of peace with his lord, who had been furnished with full powers for that purpose. But the king upbraided the speaker with his former cunning and dupli-

* Otterb 237. Ford. xv. 14. Rym. ix. 26

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city, alleging, that had it not been for the fair but deceitful promises of Forster, he should not have retired from Edinburgh in his last campaign. Turning, however, to Murdac, he exhorted him to bear his captivity with resignation, and to recollect that he had been taken like a true knight on the field of battle. He then bade them rise, and invited them to dine at his table *.

The next year was signalised by a most extraordinary attempt. The reader will recollect that the lord Grey and sir Edmund Mortimer were prisoners of war in the possession of Owen Glendower. The first with the royal permission purchased his liberty by the payment of ten thousand marks: the second, when he solicited a similar favour from the king, met with a peremptory refusal. The reason of this difference could not be concealed. From the pretensions of Grey, Henry had nothing to apprehend; but Mortimer, as the uncle, and therefore the natural protector of the young earl of March, was an object of distrust. Henry Percy, who had married Mortimer's sister, repeated the request. But the king was inexorable: he is reported to have answered, that Mortimer had gone of his own choice to Glendower, and therefore no loyal subject would wish him to come back; an insinuation which the stomach of a Percy could not brook. But the friendship between the king and that powerful family had long been on the wane. *They* believed that he owed his crown to the aid which they had administered to him in his distress: he had not forgotten that they would, if they had dared, have opposed his succession to the throne: *they* were incessantly calling for large sums of money due to them for the custody of the marches, and the expenses of the Scottish war; *he*, whether he were unable or unwilling, paid them but seldom, and then only by small and tardy instalments †. How their discontent gradually ripened into

* Rot. Parl. iii. 487.

† Acts of Coun. i. 150—3. 203. 4. ii. 57. I have not noticed with several writers the prohibition to ransom the prisoners made at the battle of Ho-

rebellion, we know not. But their anxiety to effect the liberation of Mortimer gave occasion to several messages, and led to one personal interview, between Glendower and Hotspur: an intercourse which Henry watched with jealousy, and not, as the sequel will
Nov. 30. show, without reason. The first indication of the meditated mischief was furnished by Mortimer, who, to free himself from his fetters and his dungeon, married the daughter of Glendower, and informed the
Dec. 13. more trusty of his retainers that he had joined the Welshman in his righteous quarrel, with the view of winning the crown for king Richard, if Richard was still alive: or, if he was dead, for the earl of March, the lawful heir *. He had, however, confederates who were yet unknown, the three Percies, the earl of Northumberland, his son Henry, and his brother Thomas, earl of Worcester; Scrope, the archbishop of York, who had given his sanction to the attempt, and Douglas, who in lieu of ransom had promised the services of himself and of a certain number of Scottish knights †. It was probably to conceal their real object from the eyes of Henry that the Percies, during a foray into Teviotdale, ap-
A.D. 1403 May. pointed to meet in battle the chivalry of Scotland on the first of August, and that, on the other hand, the governor of Cocklaw castle gave hostages for the surrender of the fortress, if it were not relieved by his countrymen before the evening of that day. The greatest publicity

mildon hill. Such prohibitions were common, and Henry expressly saved the rights of the captors. Rym. viii. 278.

* Ellis, Sec. Series, i. 24. 5. Hardyng, 359. Edmund, the great-grandson of the Mortimer put to death by Edward III. in 1230, married Philippa, the daughter and heiress of Lionel, the third son of the same monarch. Their eldest son Roger died in 1398, leaving two sons, Edmund about six, and Roger about five years old.

† Sir Henry Ellis has published (Sec. Ser. i. 27.) from an ancient chronicle a tripartite treaty for the division of the kingdom among Glendower, Northumberland, and Sir Edmund Mortimer, "if they should find reason "to conclude that they were the persons foretold in the prophecies of Mer-"lin." It is difficult to believe that men of sense could entertain notions so strange and hopes so unreasonable; but this was an age in which full credit was given to such pretended prophecies, and the conduct of men was often guided by their interpretation of them.

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was given by the earl and his son to this expected field of arms: they solicited military assistance from their friends and retainers, and they demanded of Henry the arrears due to them, a sum of more than twenty thousand pounds, that they might be able to maintain their own honour and the honour of the nation*. Henry made promises, though he appears not to have parted with his money; he even proposed to join his faithful Percies, and to share with them the danger and the glory of the day. It may have been that some dark intimation of the plot had already reached him; but at the very time when he set out for the borders with a select body of knights, Hotspur hastened from the same borders to North Wales, where, from his offices of lieutenant and justiciary, he possessed considerable influence. He was accompanied by Douglas and his Scottish knights: his uncle of Worcester, the lieutenant of South Wales, joined him with all the force which he could raise; and the archers of Cheshire, a race of men devotedly attached to the late king, answered his summons, calling on them to fight with him for Richard, who was still alive, against Henry of Lancaster, the mortal foe of that monarch†. The king had not reached Burton-upon-Trent when he heard of these proceedings. Not a moment was lost. He turned to the west, directed by messengers all his faithful subjects to join him on his march, and entered Shrewsbury at the moment when the insurgents were first descried from the walls. Hotspur was disappointed but not discouraged: he retired to Haytleyfield at a small distance; and, though Owen with his Welshmen had not yet joined him, made preparations for battle‡.

June 26.

July.

July. 16.

July 20

* Acts of Coun. i. 203. 4. One of these letters from the earl has the signature of "Vre Mathathias," a name probably given to him on some occasion by the king, to express his gratitude for Northumberland's services. It was a term in common use to designate a person who had distinguished himself by his devotion to some particular cause, like the Jewish chieftain of that name in chapter ii. of the first book of Maccabees.

† Acts of Coun. i. 206. 208. The men of Cheshire had already risen in the support of Richard, when the earls espoused his cause in the first year of this king's reign. Henry deemed it more prudent to win them by forbearance, than to exasperate them by punishment. Acts of Coun. ii. 42.

‡ Rym. viii. 313. Wals. 368. Otter. 239.

In accordance with the laws of chivalry, the confederates sent to the king a defiance, which has been preserved by Hardyng, who was at that time in the service of Hotspur, and accompanied him the next day to the field of battle. In this instrument the Percies pronounce Henry false and perjured. 1°. Because on his return to England he had sworn before them at Doncaster, that he would claim nothing more than his own inheritance and that of his wife; and yet he had imprisoned Richard his sovereign, had compelled him by threats to resign the crown, and under colour of that resignation had taken upon himself the style and authority of king: 2°. Because at the same time he had sworn that he would never consent to the imposition of any taxes without the previous consent of the parliament; and yet he had frequently caused tenths and fifteenths to be levied by his own power and the dread which he inspired: 3°. Because he had also sworn that Richard, as long as he lived, should enjoy every royal prerogative; and yet had caused the same prince in the castle of Pontefract, after fifteen days, to die of hunger, thirst, and cold, and to be murdered 4°. Because at the death of Richard he had kept possession of the crown, which then belonged to the young earl of March, the next and direct heir: 5°. Because, though he had sworn to govern according to law, he had treacherously and against the law destroyed the freedom of election, and caused his own creatures to be returned representatives of the counties in parliament, so that justice could not be had; and lastly, because he had refused to permit the liberation of sir Edmund Mortimer, who had been taken fighting for him, and was kept in chains in prison; and had looked on the Percies as traitors, because they had negotiated with Owen Glendower in behalf of the captive. They then conclude thus: "For "these reasons we do mortally defy thee, and thy ac-"complices and adherents, as traitors, and subverters of "the commonwealth and kingdom, and invaders, op

"pressors, and usurpers of the rights of the true and "direct heir of England and France; and we intend to "prove it this day by force of arms with the aid of "Almighty God*."

When Henry had perused the defiance, he replied, that he had no time to lose in writing an answer: that he would prove by the sword that the quarrel of the Percies was false and feigned; and that he had no doubt but God would give him the victory over perjured traitors†. The next morning was fought one of the most obstinate and bloody battles recorded in English history.

The two armies were nearly equal, consisting severally of about fourteen thousand men of approved valour‡. As soon as they were arrayed in front of each other, the king, apprehensive of the result, sent the abbot of Shrewsbury to his opponents, with proposals of peace, which, after a long hesitation, were rejected by the advice of the earl of Worcester. "Then, banner, advance," cried Henry. The air resounded with the adverse shouts of "St. George," and "Esperance, Percy;" and the archers on both sides discharged their arrows with the most murderous effect. Percy and Douglas, who had long been rivals for glory, and were esteemed two of the most valorous knights in christendom, rushed

July 21.

* This defiance is printed at length from the Harleian MS. 42. f. 152, in "The Hereditary Right of the Crown," p. 82—84, by Mr. Ellis in his edition of Hardyng, 352, and in Hall, f. 21; but, the latter, of his own authority, has made Edmund Mortimer the earl of March.‖ The reader will observe the awkward and ambiguous language in which the Percies state the death of Richard, as if they had no certain knowledge of the manner of that death; and will also notice in the last charge, that the custom still existed of torturing prisoners of war, to procure from them a larger ransom. "In prisona et ferreis vinculis crudeliter tentus." Hardyng mentions the same of Mortimer,

"Wherfore he laye in fetters and sore prysone,
For none payment of his greate raunsone."

Hardyng, 359.

† Hall, f. 22.

‡ Hotspur's force consisted of 9000 knights, squires, yeomen, and archers, "withouten raskaldry." Hard. Pref. iii. According to Walsingham the insurgents gave out that Richard was alive and with them. Wals. 368.

‖ See note A at end.

with thirty attendants into the centre of the enemy. Every thing yielded before them. The king's guards were dispersed; the earl of Stafford, sir Walter Blount, and two others, who, to deceive the enemy, wore the royal arms, were slain; the standard was beaten to the ground; and the prince of Wales received a wound in his face. Their object had been to kill or secure the person of Henry; but he, by the advice of the Scottish earl of March, had changed his armour; and was performing the duty of a valiant warrior in a distant part of the field. The two chiefs, disappointed in their expectation, determined to cut back their way through the enemy, who had closed behind them; and they had nearly effected their purpose, when the Northumbrian fell by an arrow, which seems to have been shot at random, and pierced his brain. With him fell the courage and the confidence of his followers, who, as soon as the loss of their leader was ascertained, fled in every direction. The battle had continued three hours: the killed and wounded on the part of the king amounted almost to five thousand, on that of the insurgents to a much greater number. Among the prisoners were the earl Douglas, the earl of Worcester, the baron of Kinderton, and sir Richard Vernon. The first received from the conqueror all that courtesy which was usually shown
July 23. to foreign prisoners of high rank: the other three suffered the punishment of traitors*.

The morning after this victory the king despatched orders to the earl of Westmoreland and Robert Waterton, to oppose the progress of the earl of Northumberland, who had recovered from his indisposition, and was marching at the head of his retainers through the county

* Otterb. 242—244. Ypodig. Neust. 560. Hall, f. 22. Rym. viii. 320. I we may believe a manifesto by the Yorkshire insurgents, after the body o Henry Percy had been solemnly buried, the king ordered it to be dug u placed on the pillory, beheaded, and quartered. Ang. Sac. ii. 366. The origin of this story, as is remarked by the editor of the Acts of the Council, may be found in the chronicle of London (88), from which we learn that the body was taken out of the grave, to refute the report that Percy was still alive.

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of Durham. But he soon received the melancholy intelligence of the death of his son and his brother, and of the destruction of their party; and returning by Newcastle, which shut its gates against him, retired to his castle of Warkworth, and disbanded his forces. At the command of the conqueror he repaired with a small retinue to York, where he was received with evident marks of dissatisfaction. His protestations that Hotspur had acted in disobedience to his commands, and that the troops which he had raised himself were intended to join the royal army, were neither admitted nor rejected; but the earl was detained in safe though honourable custody, to plead his cause in the next parliament. Meanwhile Henry issued orders for the arrest of the lady Elizabeth, the widow of Hotspur; compelled the Northumbrian knights to swear fealty to him against their earl; and promised pardon to all who should throw themselves on his mercy *.

Aug. 11.

Oct. 8.

Nov. 22.

When the parliament assembled, the earl presented to the king his petition, acknowledging that he had broken the law by the giving of liveries and the gathering of his retainers; but reminding Henry that he had in obedience to his command surrendered himself at York, and had received from him an assurance that "all "graceless he should not go." The king had commissioned the judges to decide on the nature of the offences which the earl had confessed: but the lords, many of whom had been secretly leagued with him, declaring that the judgment belonged to them, pronounced that he had not been guilty either of treason or of felony, but only of trespasses, for which he was bound to pay a fine at the king's pleasure. He then swore fealty to Henry, to the prince of Wales, to the other sons of the king and their issue; and in return obtained a full remission of all fines and penalties. As report had included several prelates and lords among the conspi-

A. D. 1404 Feb. 7.

* Rym. viii. 322. 333. 338

rators, he solemnly declared that he knew nothing to the prejudice of the duke of York, or of the archbishop of Canterbury, or of any other person generally suspected, but that he held them all to be, and to have been, true and faithful subjects to their sovereign *.

The unsuccessful issue of these insurrections, however it might disappoint, did not extinguish the hopes of the king's enemies. The families of the slain still thirsted for revenge; and the annual taxes which Henry was compelled to demand augmented the discontent of the people. To relieve his poverty he had made an attempt, with the aid of the commons, to resume the grants of the crown, and to seize on some portion of the property of the church; and this attempt, though it
Oct. 7. proved unsuccessful, served to exasperate the minds of the most considerable among the laity and clergy †. In the beginning of the year a woman, the relict of the lord Spencer who had been executed at Bristol, undertook to liberate from the king's custody the young earl of
A.D. 1405. March and his brother. By means of false keys she procured access to their apartment, conducted them
Feb. 15. out of the castle of Windsor, and hurried them away towards the frontiers of Wales. But Henry's good fortune never deserted him. The alarm had been given: the fugitives were quickly pursued, and retaken; and the lady on her examination before the council, perhaps to soothe the king's resentment, perhaps to excite his
Feb. 17. alarm, accused her brother the duke of York of being privy not only to her attempt, but to several other conspiracies against him. Henry, who could not but recollect how often that prince, under the titles of duke of Albemarle and earl of Rutland, had proved faithless to his associates, ordered him to be immediately arrested. If we may believe the suspicious language of the royal

* Rot. Parl iii. 524—526. The duke of York who had fallen under suspicion was Edward, the former earl of Rutland. He had lately succeeded to the honours and estates of his father. Rot. Parl. iii. 533.

† Wals. 371. Rot. Parl. iii. 547—549.

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writs, he confessed his guilt: in his own petition he appears confident of proving his innocence. All his estates were seized for the king's profit; and the duke himself was confined in the castle of Pevensey. At the end of three months he was released, admitted to favour, and recovered his lands *. To the earl of March and his brother was soon added another royal captive, the young prince of Scotland. King Robert, who lived in retirement in the isle of Bute, had allowed the reins of government to drop from his grasp into the hands of his brother, the duke of Albany; but the suspicious death of the heir apparent, the duke of Rothsay, admonished him to provide for the safety of his second son James, a young prince in his fourteenth year. He placed him under the care of the earl of Orkney, and sent him with a recommendatory letter to Charles, king of France. It was a time of truce between England and Scotland; yet they were intercepted off Hamborough Head by an English cruiser; and the prince was taken an acceptable present to Henry, who sarcastically remarked that he could speak French as well as his brother of France, and thought himself equally qualified to educate a king of Scotland. Instead of allowing the captive to pursue his voyage, he sent him to the castle of Pevensey, to be kept in secure custody, but to be treated with the respect due to his rank. On what ground the king justified this outrage is unknown. It was probably an act of retaliation for the entertainment of the pretended Richard in Scotland. The fate of the prince contributed to break the heart of his father, at whose death the duke of Albany was appointed regent during the absence of the young king in England. By Albany the pretended Richard was removed from Cambernauld to the castle of Stirling, and kept there in the strictest privacy till his death in 1419 †. It has been said that

Mar. 6.

April 12.

1406. Mar. 29.

* Acts of Coun. i. 270—5. Rym. viii. 386. 388. Wals. 372. Otterb. 250. The lady Spenser in proof of her assertion produced her champion, William Maidstone, and offered to be burnt, if he should be vanquished. The duke accepted the challenge, but Henry imprisoned him. Otter. ibid.

† He was buried in the church of the Black Friars, in Stirling, and his portrait was hung over his remains, with an inscription styling him Richard, king of England. (Extract ex. Chron. Scot. p. 221.) But that inscription is

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an understanding existed between the regent and Henry, the former engaging that the king should meet with no annoyance from the prisoner in Stirling, the latter that Albany should not be deprived of the regency by the return of James to his kingdom. But this hypothesis derives no support from the testimony of ancient writers, nor is it at all necessary to account for any of the transactions which followed.

The king had assembled two great councils of barons and prelates at London and St. Albans, and, to his disappointment, found in them a general disinclination to approve of the measures which he proposed*. Among the more violent opponents of the government was the lord Bardolf, who from St. Albans repaired to the earl of Northumberland. That nobleman, though he had been restored to his estates, had been deprived of the offices of constable and warden of the marches, and had been compelled to sign an obligation to deliver into the king's hand, within a certain period, the castles of Berwick and Jedburgh, with their appurtenances, in exchange for other lands of the same value †. He readily listened to the counsel of Bardolf, and determined to make another attempt in opposition to Henry. He found a willing associate in Thomas, the eldest son of the late banished duke of Norfolk. Though his father had not been attainted, he abstained from assuming the title, that he might not provoke the jealousy of the king; and was commonly known by the name of lord Mowbray or earl marshal: but when Henry bestowed the office of marshal (it had been made hereditary in the family of the Mowbrays) on the earl of Westmoreland, his prudence was subdued by his resentment; and he communicated his wrongs and projects to Scrope, the archbishop of York, an enthusiastic defender of the claim of the earl of March. This prelate was the son of Richard lord Scrope, of Bolton.

May 6.

A. D. 1404. Aug. 27.

of no authority, as the fourth line shows that it was composed many years after this pretender's death, when the house of York had driven that of Lancaster from the throne.

Supplicium licet hinc ipsius omne genus.

An evident allusion to the misfortunes of the house of Lancaster after the dethronement of Henry VI.

* Wals. 373. † Rym. viii. 364.

He had long enjoyed the love and the veneration of the people; and the influence naturally attached to his station was increased by the affability of his manners, the fame of his learning, and the sanctity of his life. He had already exhorted Henry to repent of his perjury and treason to Richard; and to a question from the earl of Northumberland had replied, that all who had contributed to place the present king on the throne were bound, in justice to the real heir, to drive the usurper from it. It was not difficult for the discontented to draw a prelate of these sentiments into their party, though it is probable that he was not admitted into all their secrets. His object, he always asserted, was the reformation of grievances, and the restoration of harmony among the principal lords. The first who appeared in arms was sir John Falconberg, and three other knights in Cleveland: but they were immediately attacked and dispersed by prince John, Henry's third son, and the earl of Westmoreland *. At the same time an instrument, divided into ten articles of accusation against the king, was fixed on the doors of the churches in York and the neighbourhood. It ran in the names of A. B. C. D., proctors of the commonwealth of England, and charged Henry with perjury, rebellion, usurpation, the murder of his sovereign, irreligion, extortion, and the illegal execution of many clergymen and gentlemen †. Eight thousand men assembled at Shipton on the moor, a few miles from York, and were joined by the archbishop and the earl marshal. To disperse them, the prince, with the earl of Westmoreland, hastened to the forest of Galtres. The latter requested and obtained a conference with the opposite leaders, in the open space between the two armies. The archbishop declared that he had come, not to make war but peace, and particularised the different grievances which he thought it necessary to redress for the prosperity of the kingdom. By some it is said, that Westmoreland deceived the simplicity of the aged prelate, by assenting to all his proposals: by others, that he persuaded him to dis-

A. D. 1405. May.

May 29.

* Rot. Parl. viii. 604. † Ang. Sac. 362.

band his followers, as the only means of appeasing the king and procuring a favorable answer to his petitions. However that may be, both the archbishop and the earl were unexpectedly and forcibly conducted to the army of the royalists; and the insurgents, learning the captivity of their leaders, retired to their homes *. Henry, at the
May 8. the first rumour of these commotions, had marched towards the north: at Pontefract the two captives were presented to him, and ordered to follow the court to Bishopsthorp, a palace belonging to the primate. There the king com-
June 8. manded the chief-justice Gascoigne to pronounce on them the sentence of death; but that inflexible judge refused, on the plea that the laws gave him no jurisdiction over the life of the prelate, who, together with the earl marshal, had a right to be tried by their peers. A more obsequious agent was found in a knight of the name of Fulthorpe, who by the king's order called them both before him, and without indictment or trial condemned them to be beheaded. Scrope immediately exclaimed: "The just and "true God knows that I never intended evil against the "person of king Henry; and I beg you to pray that my "death may not be revenged upon him or his friends." The judgment was immediately carried into execution. The archbishop suffered with the constancy, and acquired among the people the reputation, of a martyr. To the body of the earl was allotted a grave in the cathedral: his head was placed on a pike, and fixed upon the walls †. It is remarkable, that when the king, in parliament, required the temporal peers to declare the archbishop and the earl traitors, they replied, that according to the representation given by John, the king's son, their offence seemed to be treason; but that they were unwilling to decide without more deliberation, and desired that the question might be postponed till the next parliament, when every peer should be compelled to attend, and to give his opinion ‡. Henry had the prudence to acquiesce; and the matter was never

* Rot. Parl. viii. 605. Otterb. 255, 256. Wals. 373. The fugitives were pursued; but such as were taken were not put to death, but "stripped and "severely scourged." Holins. ii. 310.

† Ang. Sac. ii. 370. ‡ Rot. Parl. iii. 606.

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afterwards mentioned. Hence it may be fairly inferred that the peers believed the assertions of the archbishop, and did not conceive him guilty of levying war against his sovereign *.

From York, which he deprived of its franchises, Henry advanced with thirty thousand men against the earl of Northumberland. That nobleman, at the very outset, had concluded a treaty with the regent of Scotland, and had solicited aid, but in vain, from the king of France and the duke of Orleans †. As Henry advanced he fell back on his Scottish allies. His castles of Prudhaw, Warkworth, and Alnwick were successively reduced, and the Scots, to whom he had delivered the town of Berwick, set it on fire, and retired beyond the borders. The earl and lord Bardolf accompanied them. The castle made a show of July. resistance; but a shot from an enormous piece of ordnance shattered one of the towers; the garrison in dismay threw open the gates; and the son of the baron of Greystock, with the six principal officers, was immediately executed. Henry returned in triumph into the south.

But, though the king, at the head of a victorious army, might despise the murmurs of his subjects, who condemned the execution of the archbishop, he found it expedient to palliate or justify his conduct to pope Gregory XII., whose predecessor, Innocent VII., had published a provisionary sentence of excommunication against all who had been concerned in the death of that prelate. Henry alleged in his own defence that Scrope had levied war against his sove-

* On this account, and on account of the style of the instrument, I have great doubt whether the "articles" before mentioned could be traced to the archbishop.

† Rot. Parl. iii. 605. From this letter it appears that the death of Richard was still considered by some as doubtful. The earl, probably to anticipate any objection on that head, says that "he has levied war against Henry of "Lancaster, the ruler of England, to support the quarrel of his sovereign "lord the king Richard, if he is alive, and to revenge his death, if he be "dead: and also to support the right quarrel, which his dread lady the "queen of England may reasonably have to the kingdom of England." Carte has given to these words a meaning which they cannot bear: "to "obtain justice for the queen in point of her jointure." (Carte, p. 667.) Perhaps it may have some allusion to the protestation made by her, "that "she did not acknowledge Henry, duke of Lancaster, as king of England." Thres. des Chart. 127.

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reign, a crime which the laws of England punished with death; that he was made prisoner after a battle in which his followers, amounting to eight thousand men, had been defeated; that the royalists clamorously demanded his punishment, and threatened to join the rebels if he were spared; and that the king reluctantly gave his consent, to prevent the evils which must have ensued, if his armed followers had taken the execution of justice into their own hands *. What impression this answer made on the mind of Gregory is uncertain; but he ordered the excommunication to be removed from all who declared themselves sorry for the part which they had acted in the death of the archbishop †.

For more than two years, Northumberland with his companion in exile wandered from place to place, sometimes requesting aid from the Scots, sometimes consulting the insurgents in Wales. Henry employed every artifice to obtain possession of their persons: they with equal vigilance defeated all his schemes, and sought the opportunity of inflicting some signal vengeance on their antagonist. On one occasion they obtained permission to visit, in company with two bishops and the abbot of Welbeck, the pretended Richard in Stirling castle, that they might ascertain whether he was in reality the deposed monarch, and, in that case, might arrange with him a plan of future operations. But the attempt was fruitless. They were told that he refused to see them, and that no solicitations, not even those of the regent, could extort his consent ‡. Their hopes, however, were awakened by the contests in the parliament of 1407, and by the discontents created by the heavy subsidies which the king demanded of his people §. A correspondence was opened with sir Thomas Rokeby: but the report, that they were deceived by the

A. D. 1407.

* The reader will observe that it is impossible to reconcile this account with that which has previously been given from our historians. Are we to accuse them of disguising the truth out of enmity to the house of Lancaster, or the king of inventing falsehoods to appease the pontiff?

† Ep. Greg. XII. apud Raynald, v. 291.

‡ Fordun, 11. 441. Assuredly Albany knew that he was an impostor.

§ Rot. Parl. iii. 609. 611.

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artifice of that officer rests on the very doubtful credit of Buchanan. In the beginning of the next year the earl and Bardolf burst into Northumberland, surprised several castles, raised the tenantry, who were still attached to their exiled lord, and augmenting their numbers as they advanced, penetrated as far as Knaresborough, where they were joined by sir Nicholas Tempest, who had distinguished himself in the cause of the archbishop. It is supposed to have been the policy of Rokeby to oppose no obstacle to their progress, that he might intercept their retreat. But having collected a body of tried men, he now prevented them from crossing the river, and, following their footsteps, overtook them on Bramham moor, in the neighborhood of Tadcaster. The contest was soon decided between the rabble of the insurgents and an experienced soldiery. The earl fell in the field: Bardolf was taken, but died of his wounds; and the quarters of these noblemen were distributed among the principal cities in the kingdom. The fines exacted from their adherents supplied the royal wants; and the constant failure of every attempt to subvert contributed to establish on a more secure basis the government of Henry.

A. D. 1408. Feb. 28.

We may now return to the history of Glendower, who still maintained the war, notwithstanding the losses of his confederates at Shrewsbury, at Shipton and on Bramham moor. The whole of the north and a great part of the south of Wales acknowledged his authority; even Charles of France had received his ambassadors as those of an independent prince; and, by a treaty of alliance offensive and defensive, engaged to send him assistance whenever it should be required. Henry committed the conduct of the war to his eldest son, and the young hero, by his activity and perseverance, and with the advice of prudent counsellors, gradually undermined the power of the Welshman. At Grosmont in Monmouthshire he gained a decisive victory over Griffith, the son of Glendower; and pursuing his career, reduced after a long siege the castle of Lampeder in Cardiganshire. But French auxiliaries, to the number

A. D. 1405. Mar. 11.

Nov. 1. (probably exaggerated) of twelve thousand men had now arrived, and had taken Caermarthen. Haverfordwest was saved by the earl of Arundel; and the king hastened to the assistance of his son: but no action of importance followed; Henry, after the loss of fifty waggons conveying his treasure and provisions, retired; and the French, unable to subsist in a depopulated country, returned to their homes *.

This happened before the fall of Northumberland; the termination of the insurrections in England allowed the king liberty to direct his attention to the war in Wales, and to furnish his indefatigable son with every necessary supply of men and provisions. The progress of the prince, though slow, was constant. At the end of four years, the southern division of Wales had entirely submitted. The natives of the north, disheartened by their misfortunes, insensibly withdrew themselves from the standard of Glendower; and that chieftain, appalled by the steady advance of his enemy, ordered the greater part of his forces to burst into Shropshire, and ravage the country, under the conduct of Rhees ap Du and Philpot Scudamore. They were defeated, and their leaders suffered the punishment of treason. We are told that this misfortune broke the spirit of Owen; that he wandered for a time amidst the mountains, and then repaired in the habit of a shepherd to the house of his daughter at Monington in Herefordshire, where he remained in concealment till his death. But this account must be erroneous. From several writs, which are still extant, it appears that he contrived to spin out the contest among the wilds and mountains of Snowdun till long after the accession of the next sovereign †.

We may now return to Henry's transactions with foreign powers. It was to him a most fortunate circumstance,

* Rym. viii. 390. 412. 419. Otterb. 258. Wals 370. 374. Monstrel. i. 13. Acts of Coun. i. 249.

† Rym. viii. 711. 753. ix. 283. 330. The last of these is a commission given by Henry V., and dated Feb. 24, 1416, to Sir Gilbert Talbot, to treat with Meredith, the son of Glendower, concerning the submission of his father and the other rebels in Wales, if they desired it. From Rot. Parl. iv. 377, it is evident that Glendower himself never submitted.

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that Charles of France continued for many years subject to fits of insanity, occasionally interrupted with lucid intervals; and that the government of that kingdom was divided and perplexed by the ambitious and opposite views of two powerful princes, the dukes of Burgundy and of Orleans. The first object of Charles at the accession of Henry had been to procure the restoration of Isabella: when that was effected, neither the king nor his ministers made any secret of their real sentiments. When it was rumoured that Richard was still alive, and had effected his escape into Scotland, they received the intelligence with undissembled joy; projects were discussed among them for his restoration to the throne, and many a French knight boasted that he was ready to peril his life in the cause of king Richard and the lady Isabella. But questions were soon asked, who had seen the supposed fugitive? What was he doing? Why had he made no communication to his wife or her father? In this uncertainty they resolved to discover the truth by sending a confidential agent to Scotland, and selected Creton for that service. Creton, the former page of Richard, who had accompanied him to Ireland, had been made prisoner with him in Wales, and had very recently interested their feelings by a poem on the wrongs and sufferings of his master. Creton undertook and accomplished the mission; and the result was a conviction that the real king had been murdered, and that the Richard in Scotland was an impostor *. From that moment the hatred of the French people was directed against the supposed murderer. There was, indeed, no declaration of war, no interruption of the external relations of amity: but the more powerful of the French nobles were encouraged to insult Henry, to plunder his subjects, and to make descents on the most exposed parts of his dominions. The duke of Orleans led the

* The ordonnance for the payment of Creton states that he was sent pour savoir et enquerir la verite de nostre tres cher et tres ame fils le Roi Richart d'Angleterre, que l'on disoit lors estre en vie audict pays descoce. — Archæol. xxviii. 94. We have not the date of Creton's mission, in his valuable memoir (ibid. p. 70) concludes, with great probability, that he must have returned before the latter part of 1402. The same may be inferred from the conduct of the duke of Orleans and Walleran de St. Pôl in 1402 and 1403.

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way, and was followed by Wallereran de St. Pôl, who had married a sister of Richard. Walleran possessed large estates and offices of emolument in France, and for them was amenable to the French government: but he was also a prince of the empire, and as such acted as an independent sovereign. He believed, or pretended to believe, that it was his duty to revenge the fate of his brother-in-law; and the king of England received from Walleran's herald the following defiance: "To the most high and mighty "prince Henry duke of Lancaster, I, Walleran of Luxem-"burgh, count of Ligny and St. Pôl, considering the af-"finity, love, and confederation which existed between me "and the most high and mighty prince Richard king of "England, whose sister I married, and the death of the "same king, of which you are notoriously accused, and for "which your reputation is blemished; and, moreover, the "great shame and loss that I and my posterity of his line "may suffer for the time to come; and likewise the indig-"nation of Almighty God, and of all reasonable and hon-"ourable persons, if I do not expose myself to revenge the "death of the said king, to whom I was allied: on these "accounts I give you to know that in every manner in my "power I will do you harm; and every kind of injury by "myself, my relations, my men, and my subjects, I will "offer you, both by sea and land, without the kingdom of "France, entirely for the reasons above rehearsed, and not "on account of any hostilities between my dread and sove-"reign lord the king of France and the realm of England. "And this I certify to you under my seal, at my castle of "Luxemburgh, the 10th of February, 1402." This was followed by a singular exhibition. To testify his horror for the perfidy of the earl of Rutland, who, it was believed, had betrayed the secrets of his accomplices to Henry, Walleran's servants carried, by his orders, from the castle of Bohain, the figure of a man decorated with the arms and device of Rutland, and in the dead of the night hung it on a gibbet at the gates of Calais. But his next operations were more serious. With a numerous squadron of ships

A. D. 1402. Feb. 10.

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he inflicted severe injuries on the inhabitants of the Isle of Wight, and of the southern coast of England. Three princes of the house of Bourbon, embarking in the same cause, burnt the town of Plymouth; and the admiral of Bretagne swept the narrow seas, and carried as prizes into the French ports a large carrack, and forty-nine smaller ships, with nearly two thousand prisoners *.

But that which sank still deeper into the mind of the king was a challenge which he received from his former friend and sworn brother †, Louis duke of Orleans, to fight him with one hundred knights on a side, in the marches of Guienne. After a silence of more than four months Henry replied by a letter, in which he expressed his astonishment at the receipt of such a challenge during the truce between the two kingdoms, and from one who had sworn to live with him in perpetual amity; reminded Louis that he was a king, and that kings did not condescend to fight in private combat with any but their equals; and concluded by saying, that he should go to Guienne when he pleased, and take with him such knights as he pleased, and then his adver-

A. D. 1402. Aug. 7. Dec. 15.

* Chroniques d'Enguerran de Monstrelet, vol. i. f. 13: à Paris, 1596.

† That the reader may form an idea of these contracts of friendship, I will translate that which had been given by Louis to Henry, who sent it back to him when he received the challenge. It begins with a long catalogue of sovereigns and princes, the relations and friends of the contracting parties, whose interests are not to be affected by the present agreement. It then provides, "that there shall be, always and without intermission, "the good affection of true love between the dukes of Lancaster and "Orleans, as between true and honourable friends; that each shall always "and in all places be a friend and well-wisher to the friends and well-"wishers of the other, and an enemy to his enemies, as becometh the "honour and reputation of both; that at all times and in all places, in all "things and concerns, each shall love, pursue, keep, and defend the "health, the good, the honour, and the estate of the other, both in word "and deed, diligently and carefully, and as far as can be done, honour-"ably and worthily; that in time and case of discord, debate and war, "they shall aid and defend each other with great desire, pure will, and "perfect work, against and towards all princes, lords, barons, individuals, "commonalties, colleges, universities, of whatever lordship, dignity, estate "or condition they may be, by all means, remedies, acts, counsels, forces, "aids, men at arms, troops, and other helps that they can or may; and "that each shall rise, resist, and combat all the adversaries, warriors and "enemies of the other, and apply to it with all his thought, advice, and "work, lawful and honourable, excepting always the persons named "above." Dated 17th June, 1396. Monstrel. i. 9, 10.

sary might, if he chose, meet him in whatever manner he
A. D. thought best, and should receive such satisfaction as he de-
1403. served. This answer provoked a repetition of the chal-
Mar. lenge, with reproaches of rebellion, usurpation, and mur-
26. der. To the two first Henry made but evasive replies.
April They came, he said, with a bad grace from one who was
30. not only privy to his designs, but had promised his aid to carry them into execution; and as to his right to the English crown, it was enough to satisfy his own conscience that he held it by the gift of the Almighty. But the charge of murder he met with the most emphatic denial. "If you mean that we had any hand in his death, we say "that you lie, and will lie falsely, as often as you shall "assert it: as the true God knows, whom we call to wit-"ness our innocence, offering, as a loyal prince ought, our "body against yours, if you will or dare to prove it*." But these doughty champions upon paper never met in the field. Henry was more anxious to silence his adversary by the authority of the French government; and his ambassadors repeatedly complained of the challenge as of an infraction of the armistice. To their urgent demand for
June satisfaction the following laconic reply was made: "Nei-
27. "ther the king nor his council have ever broken, nor will "they ever break their engagements. This is the only "answer that can be returned†." About the same time was contracted, and a few months later was solemnized, the marriage between Isabella and Charles, count of Angoulême, the eldest son of the duke of Orleans; a fact which presupposes inquiry and conviction on the part of the French council; for to marry her to a prince so near the throne without proof of the death of her first husband was to expose the kingdom to the chance of a disputed succession.

It was most fortunate for Henry that some time afterwards he was freed from all apprehension on the part of France, by the death of his greatest adversary, the duke

* Monstrel. i. f. 8—13. † Rym. viii. 310. Rot. Parl. 522.

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of Orleans, who was murdered one evening in the streets of Paris, by eighteen assassins in the pay of the duke of Burgundy. After a short flight Burgundy returned to Paris, accompanied by his friends and vassals, attempted to justify the deed, and was again received into favour by his weak and vacillating sovereign. The princes of the house of Orleans, after several ineffectual petitions for justice, sought their revenge by force of arms; and the whole kingdom was divided between the two parties of the Bourguignons and the Armagnacs. Henry viewed these commotions with pleasure. They served to occupy and to weaken the most formidable of his adversaries; and they offered him the opportunity of retaliating upon France the injuries which for some years she had inflicted upon England. When the Armagnacs besieged Charles in Paris, Henry sent a thousand archers and eight hundred lances commanded by the earl of Arundel to the duke of Burgundy, who, with these auxiliaries, and his own forces, made his way into the capital, and compelled his enemies to retire *. The next year the duke prepared to follow up his success, and to reduce the Armagnacs to submission. But Henry had now listened to *their* proposals. The dukes of Berri, Orleans, and Bourbon, with the count of Alençon, consented for themselves and their associates to acknowledge him for rightful duke of Aquitaine, to aid him in the recovery of all the ancient rights and appurtenances of that duchy; to hold of him, by homage and fealty, whatever they possessed within its limits; to restore to him twenty towns belonging to the royalties of the duchy; and to give security that, at the deaths of the present possessors, the counties of Poitou and Angoulême should return to him and his heirs. Henry on his part bound himself to assist them in every just quarrel, as his faithful vassals and subjects; to enter into no treaty with the duke of Burgundy, his

A. D. 1411. Oct 23.

A. D. 1412. May 18.

* Monstrel. i. 132—136. Wals. 380.

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children, brothers, or cousins, without their consent; and to send to their immediate assistance a thousand men at arms, and three thousand archers, to serve at their cost for three months*. The expectation of so powerful a reinforcement infused new spirits into the Armagnacs. When the duke of Burgundy, with the royal army, advanced to besiege the city of Bourges, the duke of Berri threw himself, with eight hundred men at arms, within the walls, and threatened to protract the defence to the last man. But there were in both armies persons who viewed with horror this unnatural war, and who dreaded the arrival of the English, as a means of adding to its continuance. It was not difficult to infuse the same sentiments into the principal officers, exhausted as they were by fatigue and enfeebled by disease. An accommodation was at length effected. The Armagnacs submitted to the royal authority: the dukes of Orleans and Burgundy swore to forget their former differences; and, in order to cement their present friendship, the first engaged to marry a daughter of the latter, and renounced by letter to Henry his alliance with England. But the joy caused by their reconciliation was immediately damped by the intelligence that Thomas duke of Clarence, second son to the king of England, had landed with an army in Normandy, had been joined by the counts of Alençon and Richmont, and was busily employed in laying waste the country as he advanced. It was in vain that the Armagnacs informed him of the pacification. Six hundred men at arms from Guienne hastened to his standard; Maine and Anjou were overrun and plundered; and the king of France was compelled to order all his forces to assemble at Chartres for the defence of the kingdom.

June 10.

July 13.

Aug. 23.

* Rym. viii. 738—742. It appears from the contracts between the king and the dukes of Clarence and York, and the earl of Dorset, that this army of 4000 men required 8000 horses, and that the pay of the military had for some reason or other considerably advanced. The men at arms had 1*s.* 6*d.*, the archers 9*d.* per day. Ibid. 745. 749, 750.

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But in the mean while the duke of Orleans visited the English general, agreed to pay him the sum of two hundred and nine thousand crowns, and gave his brother the count of Angoulême as hostage for the fulfilment of this engagement. The duke of Clarence professed himself satisfied, and marched his army into Guienne *. Nov. 14.

While Henry was yet earl of Derby, he had married Mary de Bohun, daughter and co-heiress of the earl of Hereford. This lady bore him four sons, of whom the eldest at his father's accession was in his twelfth year. To have introduced at that period any measure for the settlement of the crown would have seemed to betray a secret doubt of the right, which the new king pretended to have to it; and he was content to receive from the lords and commons an oath of allegiance to himself, and after himself to his eldest son as the heir apparent †. Afterwards the victory, which he gained over the Percies at Shrewsbury, proved to him that even of his ancient friends many had become secret adherents to the insurgents: but he had the prudence to forego an inquiry which might have proved dangerous; and in a great council at Worcester required from all the lords spiritual and temporal a renewal of their allegiance. Oct. A. D. 1403. Two months later the same ceremony was repeated in another great council at London in presence of the ambassadors from France; and then, having thrice received the oaths of his subjects, he ventured to pass in parliament an act vesting the succession to the crown in his four sons and their heirs, in the order of seniority ‡. Dec. A. D. 1404. Feb. 9. Besides these sons he had two daughters by the same mother: but they were purposely passed by, perhaps that he might not afford an additional argument in favour of the rightful heir, the earl of March, who claimed by the female line. It was, however, plain

* Monstrel. 153, 154. 156. † Rot. Parl. iii. 426. 434.
‡ Rot. Parl. iii. 525. 575.

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that, according to the late settlement, the daughters of his sons might inherit; and, therefore, to do away all ambiguity, two years later a new act was passed, limiting the succession to the crown of England and France to his sons and their issue male; and by this provision perpetually excluding the females *. But then it was asked, on what ground did he claim the crown of France? If females could not succeed to it, neither he nor his predecessors had any pretensions, since their right could descend to them only through a female, Isabella, the mother of Edward III. This objection disconcerted the king; and before the end of the session the last act was repealed, and the right of succession to the two crowns was declared to reside in the sons of the king and their general issue. But even then, though the claim of the females descending from the four princes was distinctly allowed, Henry's daughters themselves were not noticed †.

A. D. 1406. June 7.

Dec. 22.

Of the four princes, Henry, the eldest, from his proximity to the throne, chiefly attracted the public notice. In the battle of Shrewsbury he had given proofs of personal courage: the success of the war against the insurgents of Wales, which was carried on under his nominal command, reflected a lustre on his youth; and the commons, in an adulatory address, allotted to him the praise of three virtues, of filial respect for the king, of bravery in the field of battle, and of modesty in the readiness with which on all occasions he submitted his own judgment to that of his council ‡. His father, however, had little reason to be satisfied with his conduct. He was headstrong and impetuous in the pursuit of pleasure, and when he was not actually employed in military service, plunged without restraint into all the vices and follies of youth. Probably the reader's recollection has already transported him to those pages,

* Rot. Parl. 571—576. † Ibid. 580—583. Rym. viii. 462.
‡ Ibid. 574.

in which the frolics and the associates of the prince have been portrayed by the inimitable pencil of Shakspeare. It may be, indeed, that the particular facts and personages are the mere creatures of the poet's imagination; but it cannot be denied that they are perfectly in unison with the accounts of the more ancient writers, and the traditionary belief of the succeeding century. It should, however, be added, that in the midst of his excesses he occasionally displayed proofs of an ingenuous mind. It happened that one of his associates had been arraigned for felony before the chief-justice Gascoigne, the same inflexible magistrate who had withstood the illegal commands of the king at York. The prince imperiously required the release of the prisoner; and, when that was refused, drew his sword on the judge. But Gascoigne coolly ordered him into confinement in the prison of the king's bench; and the young Henry had the good sense to submit to the punishment. When the incident was related to his father, "Happy," he exclaimed, "the monarch who "possesses a judge so resolute in the discharge of his "duty, and a son so willing to yield to the authority of "the law *."

But it was not only the immorality of the prince which created anxiety in the breast of his father. Unguarded and disrespectful expressions, which had dropt from him in the hours of merriment and intoxication, were officiously collected, and conveyed to Henry; and it was artfully insinuated that he ought to be on his guard against the attempts of an aspiring and unprincipled youth, whose court was already more numerously attended than his own. These suggestions, confirmed by his experience of the warm and enterprising temper of his son, made a deeper impression on the king's mind than might have been expected; and the prince, to justify himself, wrote exculpatory letters to many of the

* Elmh. 12, and the apology of the prince in Luders, 79—82. Mr. Tyler has shown that the anecdote respecting the chief-justice rests on very doubtful authority (i. 353).

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A. D. 1412. June 29. lords, and proceeded with a numerous train of followers to expostulate with his father. He not only maintained his innocence, but demanded the punishment of his calumniators; and the monarch, to screen his own friends, required him to wait till the next meeting of parliament *. Yet even on such an occasion, if we may believe the earl of Ormond, an eye-witness, he displayed the usual eccentricity of his character. "He disguised "himself in a gown of blue satin or damask, wrought "full of oylet holes, and at every oylet the needle where-"with it was made, hanging still by the silk: and about "his arm he wore a dog's collar set full of S.S. of gold, "and the tirets of the same also of fine gold." Henry received him in his closet attended by four friends, before whom the prince, throwing himself on his knees, and presenting a dagger to his father, besought him to deprive him of life, since he had deprived him of the royal favour. This anecdote has been disputed; but it comes to us from good authority, and does not seem inconsistent with the character of the young prince †.

To domestic trouble must be added the state of the king's health, and the anxieties of his conscience. Though A. D. 1413. he was only in his forty-sixth year, he bore about him all the symptoms of declining age. Soon after archbishop Scrope's insurrection he became afflicted with the most loathsome eruptions on his face, which by the common people were considered as a punishment for the death of that prelate; and a succession of epileptic fits, gradually increasing in violence, was now hurrying him to the grave. The prospect of his fate brought, we are told, to his recollection, the means by which he had acquired, and the blood by which he had preserved, the crown. He began at length to doubt the certainty of his favourite maxim, that the success of the enterprise was a proof that it had received the approbation

* Otterb. 271. Elmham alludes to this circumstance, p. 11.
† Apud Stow, 339, 340.

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of Heaven. One day, when he was lying in a fit, and to all appearance was dead, the prince conveyed into another room the crown, which according to custom had been laid on a cushion by the bed-side. The king returning to himself, sternly asked, who had borne it away; and on the report of his guards, required the immediate return of the prince. Pacified by his dutiful expressions, he asked him with a sigh: "Alas! "fair son, what right have you to the crown, when you "know your father had none?" "My liege," answered the young Henry, "with the sword you won it, and "with the sword I will keep it." After a pause the king faintly replied: "Well, do as you think best. I "leave the issue to God, and hope he will have mercy "on my soul *."

His last fit seized him while he was praying in St. Edward's chapel at Westminster. He was carried into the abbot's chamber, and quickly expired, on the 19th of March, 1413, and in the fourteenth year of his reign †. Mar. 19. Of his three younger sons, Thomas had been created duke of Clarence, John and Humphrey remained without any title. His daughters Blanche and Philippa were married, the first to the duke of Bavaria, and the other to the king of Denmark. By Jane of Navarre, his second wife, he left no issue.

In the preceding reigns the reader has observed the house of commons continually advancing with a silent but steady pace towards importance and authority: under Henry it assumed a still higher tone; addressed the sovereign with greater freedom, and pushed its inquiries into every department of the administration. The king's

* Monstrel. i. 163. It is not improbable that this story was framed by the friends of the rival family.

† There is a strange story told by Clement Maydestone, on the authority of one of the persons employed to convey the king's body by water from Westminster for interment at Canterbury. Finding themselves in danger from a storm, they threw the dead body into the river in imitation of the mariners, who had treated the prophet Jonah in that manner, and proceeding to Canterbury, deposited the empty coffin in the grave. Peck, Desider. Curios. ii. 5.

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pecuniary embarrassments, the defect in his title, and the repeated insurrections in favour of Richard and the earl of March, made it his interest to court the affections of the people through their representatives*; and the men, who originally were deemed of no other use than to grant their money, became by almost imperceptible degrees a coequal and coefficient part of the legislature. The following particulars respecting their election, their immunities, and their proceedings, have been gleaned from the rolls of parliament.

1. As the importance of the knights of the shire increased, both the government and its opponents redoubled their exertions to procure the election of their respective friends. Much, however, depended on the partiality of the sheriff; who, as he was always appointed by the court, seldom hesitated to make an undue return at the request of the council. Such conduct had provoked frequent remonstrances during the last reign: they were renewed in the present; and, as a remedy for the abuse, two statutes were now enacted. The first provided that in the next county court held after the delivery of the writ, the day and place of the intended parliament should be announced by proclamation; that all present, both suitors duly summoned for the purpose, and others, should immediately proceed to the election; and that the names of the persons so chosen, whether they were present or absent, should be certified by an indenture under the seals of all those who had voted in their favour. By the second the sheriff making a false return, or acting in opposition to the former statute, was subjected to a fine of one hundred pounds, and the judges of assize were empowered to inquire into such offences, and to pass sentence on the delinquents†.

* On one occasion the king invited all the members to dine with him the next day.—Rot. Parl. iii. 493.

† Rot. Parl. iii. 601. 641. I am inclined to think that the word "others," the meaning of which is disputed, was intended to defeat the artifice of the sheriffs, who confined the election to the few suitors whom they sum-

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2. The members of the lower, in common with those of the upper house, possessed by ancient custom the right of freedom from arrest or imprisonment, including not only themselves, but their attendants and servants; and extending from the day of their departure from their own homes to the moment of their return. This was a valuable, but in these ages, a necessary privilege. Many illegal practices still prevailed, which rendered it expedient that those, who attended their duty in parliament, should be placed under the special protection of the law. Men were liable to arrests on false pretences at the suit of a malicious adversary; they were exposed during their journeys to be waylaid, maimed, or even murdered by enemies who would not submit their quarrel to the decision of the law; and they were often in danger of being despoiled by the organised bands of robbers, which infested some of the counties. Henry acknowledged this privilege, but refused to strengthen it with additional penalties. When the commons petitioned that the offender, besides a fine to the king, should pay treble damages to the party aggrieved, he coldly replied, that the law had already provided a sufficient remedy. It chanced that soon afterwards an esquire belonging to the representative for Somerset was severely wounded in an assault by John Savage. The commons again petitioned the king. They requested, that to murder any member or his servant should be adjudged treason; to maim or disfigure him, should be punished with the loss of a hand; and to wound or beat him should subject the offender to a heavy fine, and a year's imprisonment

moned for the purpose. Even after this time, it is certain that many elections were made by a very small number of electors. And here I may instance the extraordinary return, made by the sheriff of the county of Dublin, of representatives to attend at a parliament held by Edward III. in England. The court consisted of no more than forty-four persons, of whom twenty-four elected Nicholas Houth and William Fitzwilliam; twenty elected Nicholas Houth and Richard White; and the sheriff returned the latter, because the twenty voters in his favour were of higher rank, and greater substance than the twenty-four, who voted for his competitor. Lel. vol. i. App. p. 376.

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Henry, however, evaded the petition, and issued a proclamation, ordering Savage, under severe penalties, to appear and take his trial before the justices of the king's bench*.

3. Another, and a still more important privilege, was that of freedom of debate. If, during the last reign, it had been impaired by the cruel and unconstitutional judgment of Haxey, it recovered its former stability in the present, by the reversal of that judgment. The speaker was careful to claim it for himself and his colleagues, not only at the beginning of each session, but almost as often as he addressed the throne; and to request, that the king would give no credence to reports of interested individuals, but believe that whatever was said in their debates proceeded from their attention to his real interests. Under the protection of this privilege the commons introduced a new practice, of presenting their petitions by word of mouth, instead of committing them to writing; an innovation greatly annoying to Henry, who was often distressed to return at the moment an appropriate answer. It was in vain that he commanded them to revert to the ancient custom. After a short interval the command was disobeyed: each new instance served to form a precedent; and before the end of the king's reign the practice was firmly established†.

Several of the addresses delivered by different speakers are still extant. They all commence with the most humble professions of loyalty and submission: soon a bolder tone is assumed; and they frequently end with a severe censure on the measures of government, or the characters of the ministers. Thus sir John Tibetot, as speaker, complained that Calais had been left without provisions; that in twelve months ninety-six towns and castles had been lost in Guienne; that the greater part of the lordship of Ireland had been conquered by the natives; that large sums had been unnecessarily squan-

* Rot. Parl. iii. 541, 542.

† Ibid. iii. 456. 523. 573.

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dered away in the marches of Scotland; that the inhabitants of the sea coast, and near the borders of Wales, had been impoverished by their exertions in their own defence; and that all estates in the realm were reduced to the lowest distress: whence he inferred that it was incumbent on the king to employ for the future more able and experienced counsellors *. At length, however, towards the close of his reign, Henry ventured to check the growing freedom of the speakers; and when Thomas Chaucer was presented to him for his approbation, replied, that the new speaker should enjoy the same liberty which had been enjoyed by former speakers; but that he would not suffer the introduction of any novelty in parliament, and would remain in possession of the same franchises and prerogatives which had belonged to his ancestors, the former kings of England †.

4. The real authority of the commons had been defined in the first year of this reign. To one of their petitions the primate answered in the name of the king, that the commons, as they had acknowledged, were only petitioners and demandants; and that the king and lords alone had always been, and would be of right, judges of parliament: but that "it was the king's will to have "the advice and assent of the commons in the enact-"ment of statutes, and the making of grants, subsidies, "and such things, for the common profit of the realm ‡." They complained, however, (with what justice it is now

* Rot. Parl. 573. Frequently their addresses were delivered in bold and energetic language; occasionally they are degraded by the most puerile conceits. At the end of the session in 1401, the speaker compared the proceedings of parliament to the ceremonies of the mass. The speeches of the archbishop at the opening were likened to the epistle and gospel; the king had offered up the sacrifice by promising to support the doctrine of the church; and the commons were now come at the close to say "Deo gratias" (Ibid. p. 466). This is ridiculous enough: but I mention it to notice a still more ridiculous mistake by the compiler of Cobbett's Parliamentary History, who tells us that the king, lords, and commons, heard mass together, when the archbishop read the epistle and gospel, the king performed the sacrifice, and when they came to "Ite missa est" and "Deo gratias," the commons offered their grant. Vol. i. col. 288.

† Rot. Parl. iii. 648.

‡ Ibid. 427.

impossible to ascertain,) that by false and incorrect entries on the rolls, they were often made parties to enactments to which they had never given their assent. As a remedy, therefore, they prayed that the proceedings might always be engrossed before the close of the session, and while the particulars were fresh in the recollection of the judges: but Henry, without noticing their object, replied, that, for the future, the substance of the proceedings should be committed to writing by the clerk of parliament, and laid before the king and the lords for their approbation. The commons rejoined by pointing out a case of false entry, and praying redress. The rolls were immediately opened: the judges examined them in presence of the two houses; and the king pronounced the entry correct, and the complaint groundless. This failure did not dishearten them; their remonstrances were renewed in succeeding parliaments; and at last it was agreed that, to prevent errors, every entry should be made in the presence of a deputation from the two houses *.

When Henry first ascended the throne, he sought by public professions of economy to fix the wavering fidelity of his subjects †. But the insurrections so rapidly succeeding each other, plunged him into expenses, which it was not in his power to defray with the ordinary revenue of the crown; and to levy money by taxes, or tallages, imposed by his own authority, would, in his circumstances, have proved a most hazardous experiment. He preferred, therefore, to throw himself on the bounty of the nation; and thus contributed to establish the practice of what had long been the only legal method of raising extraordinary supplies. Neither had the king any reason to complain of the parsimony of his parliaments. In virtue of successive grants he enjoyed the tonnage and poundage, with the duties on wool and hides, during the whole of his reign; and in the course of four-

* Rot. Parl. 457, 458. 466. 585. † Wilk. Con. iii. 239.

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teen years received eight tenths and eight fifteenths from the laity, with a proportionate number of tenths from the clergy. His wants, however, afforded opportunities to the commons of confirming and improving their newly acquired rights. They were careful to insert in their grants that the king could not lawfully raise such aids from his people without the previous assent of the lords and commons *. In his second year they made a bold attempt to emancipate themselves from the chief restraint, which the crown possessed over them, and prayed that their petitions might be answered before they presented their grant of money. Henry immediately perceived their object: he consulted the lords; and on the last day of the session replied: "That such a manner of pro-" ceeding had never been known in the reigns of his " predecessors; and that he would not allow any altera-" tion in the good customs of ancient times †." During the minority of Richard II. they had occasionally been allowed to appropriate the supplies to particular services. This they now claimed as a right; and the king, that he might evade without offence the formal recognition of their claim, spontaneously offered what they would otherwise have demanded. In 1404 he ordered the estimates of the current year to be laid before them; promised to submit his household to the regulation of the lords; and proposed that the public money should be received and paid by treasurers to be appointed in parliament with the advice of the two houses ‡. From that period they generally appropriated the supply, excepting from it a certain sum to remain at the king's disposal; often exhorted him to moderate his expenses; demanded and procured for that purpose the banishment of four persons from his court §, and of most of the foreign attend-

* S'il ne soit par les voluntes des seigneurs et comunes de vostre royalme, et ceo de nouvell grante a faire en plein parlement. Rot. Parl. iii. 493 547.

† Rot. Parl. iii. 458.

‡ Ibid. 523 529.

§ Henry declared in parliament that he knew of no cause why they should quit his service; but as he was convinced that what the lords and

ants on the new queen from the kingdom*; and repeatedly extorted his assent to numerous articles of reformation in the government of his household, and of the whole realm. On one occasion they called for the receipts and disbursements of the last supply: but Henry replied, "that kings were not accustomed to account to "their subjects†:" on another the accounts were granted, but with an observation, that it was not at the request of the commons, but because it was the will of the council‡. On the whole, during this reign the commons seem to have firmly established their claim to vote the money of the nation, to appropriate it to particular services, and to inquire into all practices which tended to impoverish the crown, and all grievances which could increase the burdens of the people.

Before I close the subject, I must notice a singular dispute, which shows that the lower house had learned to appreciate its own importance, and knew how to maintain its own liberties. The king had called the lords before him, had exposed to them his wants, and had obtained their assent to a liberal supply. He then sent for a deputation of the commons, and informed them that he expected a similar proof of affection from their colleagues. At the report of the deputation the whole house was in a ferment: they contended that the most valuable of their privileges had been invaded; and interrupted for some time the course of public business. Henry had the wisdom to yield; and ordered the fol-

commons should ordain was for the advantage of the realm, he charged the said four persons to depart from his household. They were his confessor, the abbot of Dore, Richard Derham, and Crossby, a valet of his chamber Rot. Parl. iii. 523.

* Ibid. 527. The queen was Joan of Navarre, duchess dowager of Bretagne.

† Rex breviter respondebat, quod reges non solebant computum dare. Wilk. Conc. iii. 282. We may suppose, however, that he yielded; for the same writer tells us that the laymen would grant no supply without the accounts, and we find that they did grant one, from the rolls.

‡ Baille a mesmes les communes, de la voluntee des ditz seignrs du counseil, et nient a l'instance ne request des ditz communes. Rot. Parl. iii. 609.

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lowing declaration to be entered on the rolls: "That "it shall be lawful for the lords in this parliament and "in every parliament to come, to confer together, in "the absence of the king, respecting the state of the "realm, and the necessary remedies; and that it shall "be lawful to the commons in like manner to confer "together on the same state and remedies; provided "always, that neither the lords on their part, nor the "commons on theirs, make any report to the king of "any grant granted by the commons, and assented to "by the lords, or of the communications between the "two houses respecting the said grant, until the same "lords and commons are of one assent and accord in "this matter; and then in manner and form as hath "been accustomed; that is, by the mouth of the speaker "of the said commons; to the end that both lords and "commons may have their thanks of the king." By this declaration Henry appears to have surrendered all claim on the part of the crown to interfere in debates on the subject of supplies, and to have left the two houses on a footing of perfect equality in that respect; though, after they had, by communication with each other, come to an understanding among themselves, the money was said to be "granted by the commons "with the assent of the lords *."

This reign supplies the first instance of a capital execution for the theological crime of heresy. Whether it were that men refused to distinguish between fact and opinion, and on that account visited erroneous persuasion with the same punishment as criminal action, it may not be easy to determine: but we unfortunately find that, in almost every country, whatever may have been the religious belief of the sovereign and the legislature, the severest penalties have repeatedly, and till

* Rot. Parl. iii. 611. It appears to me that the complaint of the commons was not that the question respecting the grant had been first introduced in the house of lords, but only that the king had personally interfered in the matter. His answer leaves either house at liberty to debate on any matter in his absence, whenever it may think proper.

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a very late period, been enacted against dissent from the doctrines established by law. Sir Edward Coke, the great luminary of the English bar in the reign of queen Elizabeth, teaches that heresy is so extremely and fearfully punished, because it is a crime not against human, but divine Majesty; that it is an infectious leprosy of the soul; and must therefore be cut off, lest it diffuse the contagion *. It was perhaps some such metaphorical and fallacious reasoning which persuaded the first Christian emperors to class heresy among the offences liable to civil punishment: it was certainly their example which induced the princes of the northern nations to adopt after their conversion similar regulations. In 1215 the fourth council of Lateran decreed that persons convicted of heresy "should be left to the "secular power to be dealt with according to due form "of law:" but this was not the introduction of a new system, but merely a declaration of what was then the common law in every country in Europe.

During the last thirty years the English clergy had been goaded with every species of provocation, and yet had exhibited the most exemplary forbearance. Their moderation seemed to invite and sharpen the attacks of their adversaries. The spirit of Wycliffe had lost nothing of its original asperity by transfusion into the breasts of his successors. His itinerant preachers still appealed to the passions and prejudices of the people, against the riches, the luxury, and the vices of the clergy, whom they described as the disciples and associates of Satan; as mercenary shepherds, whose object was to shear the flock here, and lead it to perdition hereafter; as the usurpers of the patrimony of the poor, and of the revenues of the kingdom; as the real cause of the taxes voted by the parliament, and consequently of the poverty felt by the lower classes †. Such decla-

* Coke, Inst. iii. 5.

† Wilk. Con. iii. 208. 248. 345. et seq. Knyght. 2657—2669. Knyghton, who through curiosity attended some of their meetings, informs us that,

mations might perhaps have been despised, had they not led to inferences and attempts of dangerous tendency. The people were advised, were even commanded, not to pay their tithes; and plans were artfully framed, and obstinately pursued, to obtain the general confiscation of ecclesiastical property. Immediately on his accession Henry proclaimed himself the protector of the church against the assaults of the Lollards. In the first convocation held during his reign his intentions were made known to the clergy by a royal message; at the opening of the second the king's commissioners, the earl of Northumberland, and Erpingham the lord chamberlain, exhorted the prelates and proctors to take measures for the suppression of the errors disseminated by the itinerant preachers, and promised them the royal favour and assistance in the pursuit of so salutary an object *. In the parliament, which began to sit at the same time, the king's intention to support the established religion was announced from the throne; and the commons in their address thanked him for his solicitude in favour of the doctrine, and his determination to preserve the liberties of the church †.

A. D. 1399. Oct. 6.

Encouraged by the royal invitation, the commons joined the clergy in a petition to the king in parliament; and an act was passed for the protection of the church, and the suppression of the new sect. The preamble sets forth, that divers unauthorised preachers go about

A. D. 1401. Jan. 21.

according to their assertion, all good men came over to their sect: none refused but the wicked and reprobate. They called themselves true and evangelical preachers (veros prædicatores et evangelicos); their opponents false teachers and enemies of "Goddis lawe." He was surprised to observe how soon their disciples adopted the cant of their masters, and both men and women became teachers of evangelical doctrine (unum modum statim loquelæ mirabiliter habuerunt. Doctores evangelicæ doctrinæ tam viri quam mulieres subito effecti sunt). See Knyghton, 2664, 2665. Though all the preachers seem to have studied in the school of Wycliffe, yet each distinguished himself by some particular doctrine. Most of their tenets were directed against the doctrines and the possessions of the established church: others were subversive of the well-being of society; some must appear absurd to every rational reader; and a few were too indelicate to be mentioned. See Wilk. p. 248. 345 Knyght. 2669. Wals 557.

* Wilk. Con. iii. 239. 254. † Rot. Parl. iii. 454, 455.

teaching new doctrines and heretical opinions, making conventicles and confederacies, holding schools, writing books, misinforming the people, and daily committing enormities too horrible to be heard; and that the bishops are unable to repress these offences, because the offenders despise ecclesiastical censures, and when they are cited before their ordinaries, depart into another diocese: the statute therefore provides as a remedy for these evils, that the bishop shall have power to arrest and confine persons defamed or vehemently suspected of such offences, till they make their canonical purgation; and, if they be convicted, to punish them with imprisonment, and a fine to the king. It then enacts that if any person so convicted shall refuse to abjure such preachings, doctrines, opinions, schools, and misinformations, or after abjuration shall be proved to have relapsed, then the sheriff of the county, or the mayor and bailiffs of the nearest borough shall, on requisition, be present at the pronunciation of the sentence, shall receive the person so condemned into custody, and shall cause him to be burnt on a high place before the people, that such punishment may strike terror into the minds of others *.

During this very parliament (whether before or after the passing of the act is uncertain) a petition was presented to the lords and commons by William Sawtre, begging that he might be permitted to dispute before them on the subject of religion. Such a request excited considerable surprise: but the enthusiast aspired to the crown of martyrdom, and had the satisfaction to fall a victim to his own folly. He had been rector of Lynn in Norfolk: but about two years before had been convicted of heresy, and deprived of his living. On his recantation he had been lately admitted a chaplain in St. Osith's in London. The character of Sawtre, and the nature of his request, induced the convocation to

A.D. 1399. May 25.

* Rot. Parl. iii. 466. Wilk. Conc. iii. 252.

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summon him before them; and six days were allowed him to prepare his answer. The articles objected to him were those, of which he had been accused before the bishop of Norwich. With unparalleled effrontery he denied his former conviction and recantation, and, explaining the other articles in an orthodox sense, refused to give any satisfaction on the subject of the eucharist. The trial was adjourned from day to day; and the archbishop, notwithstanding the contempt and insolence of his answers, made a last effort to save him, by asking if he were content to stand on that question by the determination of the church. He answered that he was, provided the determination were agreeable to the will of God; an evasion which of course was rejected. The record of his former conviction and recantation was now produced from the registry of the bishop of Norwich; and on the eleventh day from his arraignment he was pronounced by the primate a relapsed heretic, was degraded from his orders, and delivered into the custody of the constable and marshal of England *. About a week afterwards, Henry consulted the temporal lords sitting in parliament †, and by their advice issued a precept to the mayor and sheriffs to execute the sentence of the law upon Sawtre. The unhappy man, instead of being shut up in an asylum for lunatics, was burnt to death as a malefactor, in the presence of an immense multitude; and the commons by their speaker returned thanks to the king that, whereas "by bad doctrine the faith of holy church was on the "point of being overturned, to the destruction of the "king and kingdom, he had made and ordained a just "remedy to the destruction of such doctrine and the "pursuers thereof‡."

A. D. 1401. Feb. 12. Feb. 18. Feb. 23. Mar. 2. Mar. 10.

* Con. iii. 255—260.

† During this parliament, and probably at this very time, the commons petitioned the king that "when any man or woman was taken and imprisoned for Lollardism, he might be instantly put on his answer, and "have such judgment as he deserved, for an example to others of such "wicked sect, that they might soon cease their wicked preachings, and "keep themselves to the Christian faith." It received the royal assent. Rot. Parl. iii. 473, 474.

‡ Rot. Parl. iii. 459. 466. There have been writers who have not hesi-

This severity did not, however, subdue the boldness of the preachers. They declaimed with redoubled animosity against the temporalities of the clergy, till the lay proprietors became alarmed for the security of their own possessions. In 1407 the subject attracted the notice of the house of lords: a petition was sent by them to the commons for their concurrence; and it was afterwards presented by the speaker to the king. It stated that the preachers excited the people to take away the possessions of the church, of which the clergy were as assuredly endowed as the temporal lords were of their inheritances; and that unless these evil purposes were speedily resisted, it was probable that in process of time they would also move the people to take away the possessions and inheritances of the temporal lords, and make them common, to the open commotion of the people, and the utter subversion of the realm. In consequence it was enacted that such persons, together with those who maintained that king Richard was still alive, and others who published false prophecies to delude the people, should be arrested and brought before

tated to pronounce the statute against the Lollards a forgery, entered on the rolls by the fraud of the clergy after the dismissal of parliament (Coke, 4 Inst. p. 51. See also 3 Inst. p. 40): a singular charge, founded on as singular a blunder. The statute, they say, does not mention the assent of the commons, therefore it never passed in parliament. It would certainly have been as easy to forge that assent as the rest of the instrument: but the fact is, the statute could not mention the assent of the commons because it was passed at their *petition*; in which case the bill was always said to be granted by the king with the assent of the lords, and at the *prayer* of the commons: de l'assent des seigneurs espirituelx et temporelx, et a la *prier* des communes. In the present case the petition was presented by the clergy and the commons conjointly—prælati et clerus ac etiam *communitates* dicti regni in eodem parliamento existentes dicto domino regi supplicarunt—and was in the usual manner granted by the king with the assent of the lords,—qui quidem dominus rex ex assensu magnatum . . . . . concessit, ordinavit, et statuit. Stat. of Realm, ii. 126. Wilk. Con. iii. 328. Hence it is said in stat. 25° Hen. VIII. that "the clergy impetrated it by *authoritie of parliament*." (Stat. iii. 454.) The usual assumption that the commons favoured the Lollards against the clergy is contrary to fact; for they thanked the king, as the reader has seen above, for his resolution to support the church, in the beginning of the session; they afterwards petitioned for severe measures against the preachers; and at the end expressed their obligations to Henry for having passed this very statute; pur ceo que nostre Sr le Roy ent ad fait et ordeignez bon et joust remede en destruction de tiele doctrine, et de la secte d'icelle. Rot. Parl. iii. 466.

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the next parliament, to receive such judgment as the king and peers in their judicial authority should pronounce *.

Hitherto the commons had equalled, perhaps surpassed, the upper house in hostility to the Lollards. Four years later Henry made the extraordinary request that the laity would empower him to raise a fifteenth, the clergy a tenth, in the years in which he might not summon a parliament. Neither body would entertain the proposal: but the commons, to shift the burden from themselves, advised him to lay it on the church. From its superfluous revenues, so they pretended, he might maintain fifteen earls, fifteen hundred knights, and six thousand two hundred esquires †; and also support one hundred hospitals for the relief of the poor. But when the king called for the grounds of this calculation, they had none to offer; and Henry severely reprimanded them for their presumption, and desired never more to hear of the subject ‡. This check appears to have silenced the advocates of the new doctrines during the remainder of his reign.

* Rot. Parl. iii. p. 583. This was only a temporary ordinance to last till the next parliament. (Ibid.) There is therefore no reason to suppose that it was excluded from the statute roll by the artifice of the clergy. Indeed Otterburne tells us that none of the statutes made at that time were carried into execution.—Otterb. 261.

† The income of an earl was stated at 3000 marks a year, of a knight at 100 marks and four ploughlands, and of an esquire at forty marks and two ploughlands.

‡ Wals. 379. Otterb. 267. Fab. 575. How far this account may be true is uncertain. No vestige of the transaction is to be found on the rolls; no notice is taken of it in the acts of the convocation, which was then sitting. Yet something extraordinary had passed; for on the 8th of February the commons prayed the king to give them back their petition respecting the statute against the Lollards, and not to suffer any part of it to be enacted. He assented as a special favour, provided it were not drawn into a precedent. Rot. Parl. 623. What was the object of the petition does not appear; probably it was that mentioned above.

END OF VOL. IV.

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